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ABSTRACT

This document contains witness testimonies and prepared statements from the Congressional hearing called to consider H.R. 604, a bill which would amend the Missing Children's Assistance Act, to direct the Office of Juvenile Justice and Delinquency Prevention to make grants for establishing, assisting, or expanding state missing children clearinghouses. Opening statements are included from Congressmen Dale Kildee and Thomas Tauke, and from Congressman Tom Lewis who introduced the bill. Different perspectives on H.R. 604 and on the priorities which various activities and programs should receive are offered by two panels of witnesses. The first panel consists of: (1) John Patterson, associate director for technical assistance, National Center for Missing and Exploited Children; (2) Alex Ferguson, superintendent, Division of Administration, Illinois State Police; (3) Wayne Quincey, Division of Criminal Justice Information Systems, Florida Department of Law Enforcement; and (4) Carroll Bidler, director, Division of Administrative Services, Iowa Department of Public Safety. Witnesses testifying in the second panel include Georgia Hilgeman, executive director, Vanished Children's Alliance; Charles Sutherland, trustee, Search Reports, Inc.; and Barbara Rachelson, executive director, Michigan Network of Runaway and Youth Services. Other relevant materials are appended. (NB)

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ED279942

TO AUTHORIZE FEDERAL ASSISTANCE FOR THE ESTABLISHMENT AND EXPANSION OF STATE MISSING CHILDREN CLEARINGHOUSES

HEARING

BEFORE THE

SUBCOMMITTEE ON HUMAN RESOURCES

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

NINETY-NINTH CONGRESS

SECOND SESSION

HEARING HELD IN WASHINGTON, DC, SEPTEMBER 11, 1986

Serial No. 99-138

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TO AUTHORIZE FEDERAL ASSISTANCE FOR THE ESTABLISHMENT AND EXPANSION OF STATE MISSING CHILDREN CLEARINGHOUSES

THURSDAY, SEPTEMBER 11, 1986

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
SUBCOMMITTEE ON HUMAN RESOURCES,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 2257, Rayburn House Office Building, Hon. Dale E. Kildee (chairman of the subcommittee) presiding.

Members present: Representatives Kildee, Owens, Tauke and Petri.

Also present Representative Lewis.

Staff present: Susan Wilhelm, staff director; S. Jefferson McFarland, subcommittee counsel; Margaret Kajeckas, clerk; Carol Lamb, minority legislative associate.

Mr. KILDEE. The Subcommittee on Human Resources convenes this morning for a hearing on H.R. 604.

As we meet this morning, the President of Brazil is speaking to a joint session of the Congress over in the House Chamber. In 10 years, I have never missed one of those joint sessions for a head of state, but I feel this issue is so important that my presence is required here this morning. It is a very, very important issue.

We are having this hearing on H.R. 604. This bill, introduced by Congressman Tom Lewis of Florida, proposes to amend the Missing Children's Assistance Act, to direct the Office of Juvenile Justice and Delinquency Prevention to make grants for the purpose of establishing, assisting or expanding State missing children's clearinghouses.

It should be noted that the subcommittee also has been referred two similar bills, one of which has already been passed by the Senate.

Our task this morning is to listen, learn and discuss the need for State clearinghouses and the need for Federal assistance and the priority that they should be accorded relative to the activities currently authorized under the Missing Children's Assistance Act.

As the result of our recent oversight hearings on this act, I feel even more strongly about the importance of the act. However, I am also very aware that more needs to be done to properly implement that act. For example, private agencies still have not received financial assistance. A national incidence study is not yet underway,

and other research, such as the psychological consequences of abduction is also not underway.

We want to work with the people in the executive branch to hasten those studies and those projects.

The Missing Children's Assistance Act receives an annual appropriation of just $4 million, and this funding must support the activities I just mentioned, as well as the operation of the National Center for Missing and Exploited Children and the Attorney General's Advisory Board on Missing Children.

Consequently, we must really carefully examine our priorities. That would be a very good exercise for Cap Weinberger to do, to carefully examine his priorities and find out which systems we should purchase, which systems we should fund. We are forced to do that here.

It would certainly be a far easier task, given a larger appropriation, which I certainly support. Unfortunately, even though I would advocate for that, I do not think that is likely to occur this year with Gramm-Rudman hovering over all of our deliberations.

So as we consider changes in this program, we must keep in mind that new or increased activity will mean a reduction in another activity. That may be what, in many instances, is appropriate, but we have to carefully look at our resources and then look at the priorities to see which activities, either existing or proposed, should be prioritized in that scheme.

I have been 22 years in elective office, 10 years here in the Congress and 12 years back in the Michigan House and Senate, where I served on the Appropriations Committee. I have always felt that our task is to allocate insufficient funds as wisely and as equitably as possible. I really feel that pressure this year because certainly I do not think any of us would say that these funds are sufficient to address the enormity of the problem. We have to take those funds and allocate them wisely and equitably.

To guide us and assist us in this task we have with us this morning a number of experts representing the National Center for Missing and Exploited Children, three state clearinghouses, and local service organizations. We welcome you here this morning.

We really are all on the same side. We may have some disagreements at times, but we are really on the side of children, and that is how I approach my job. I extend my hand to anyone who is involved in helping children because, as I say, the task is enormous out there.

Before I call the first panel to testify, I want to recognize Mr. Tauke, whose interest and knowledge and devotion to this cause is very much appreciated, and also after he speaks, I would like to call upon Mr. Tom Lewis, the primary sponsor of this legislation. Mr. Lewis's interest, knowledge and devotion is well known to me because hardly a time goes by that he does not ask me about this bill, and I appreciate that.

Mr. Tauke.

Mr. TAUKE. Thank you, Mr. Chairman.

I appreciate the fact that you have called this hearing this morning and appreciate all of the work that you have done to make it possible. It is good to have Congressman Lewis with us, who has, as

. .

you have just indicated, been such a champion and leader on this issue.

Many believe that legislation encouraging the establishment of State clearinghouses for missing children, bills such as H.R. 604, is the next logical and appropriate step in our attack on the disappearance of children. Initiatives by over 30 States in establishing and operating some form of clearinghouse provide us with an excellent opportunity at the Federal level to examine this issue.

We are fortunate today to have State programs represented here. Illinois and Florida, for example, have well established programs from which we can learn. Iowa's clearinghouse, on the other hand, is in its early years of operation, and that clearinghouse will be able to provide us with another perspective.

I do want to welcome Carroll Bidler of Iowa, who will be testifying on the first panel.

It seems to me, Mr. Chairman, that the questions we should explore today include, among others, what are the States presently doing and what have their experiences been in establishing clearinghouses; what coordination and cooperation exists among States and between State clearinghouses and the National Center for Missing and Exploited Children; is there a need for standardization among State programs which a Federal initiative could provide; and finally, is there a need for Federal dollars to establish and expand State clearinghouses, and if so, how much is needed.

Mr. Chairman, I very much look forward to the testimony, and I appreciate the opportunity to work with you on this important issue. I am grateful to Congressman Lewis for providing leadership that has permitted us an opportunity to explore this matter further.

Mr. KILDEE. Mr. Lewis, because of your deep interest and knowledge of this subject matter and your deep concern for children, you may participate as a member of this subcommittee, as you desire.

Mr. LEWIS. Thank you, Mr. Chairman. You are most gracious. I appreciate that.

Mr. Chairman, I want to take the opportunity to thank you and Mr. Tauke for the leadership that you have shown in the area of missing and exploited children, and also for agreeing to schedule a hearing on H.R. 604. Your interest and commitment in seeking measures which assist to protect our children is highly commendable. Under your guidance, Mr. Chairman, I am confident that we will win the battle for this Nation's missing and exploited children.

The issue of missing children has been, to say the least, educational. Over the past 2 years, I think we all have increased our awareness of the scope of the problem.

Our task now is to identify which problems our money can best be channeled to solve this problem. Through this process today, I hope we can address any concerns and move on to the final drafting of this important life support system.

I do strongly believe in the concept of H.R. 604. There are several points to the bill which merit particular attention. My bill provides funds for men and women on the front line, the State law enforcement agencies. Given all of the resources out there today, I am convinced that when a parent loses a child, whether it be an abduction or a runaway, the first person that parent will contact is a local

law enforcement official. In fact, studies done by the National Association of Chiefs of Police indicate that it is the initial and immediate police response that is most important.

Law enforcement in this country must be involved if we are to effectively combat this problem, and my bill assists in that involvement.

Law enforcement personnel exist in each and every community nationwide. The manpower and telecommunications systems available to them are without challenge. Through the use of the National Crime Information Center, the capability to transmit information on a child instantaneously is nothing short of remarkable.

Over the past week, I have been contacted by the International Chiefs of Police, the National Chiefs of Police and the National Sheriffs Association, all indicating their support for H.R. 604. With your permission, Mr. Chairman, I would like to enter into the record their letters of testimony in support of the bill.

Mr. KILDEE. Without objection, they will be made part of the record.

[NOTE.—See appendix.]

Mr. LEWIS. Clearly, this support indicates their desire to assist in this battle for our children.

My bill also requires educational programs for children, parents, and law enforcement personnel. I doubt anyone in this room will question the need for education. A relatively small investment in early education will lead to large returns in safe and happy children throughout this Nation.

My bill requires these clearinghouses to work in cooperation with private and public organizations and the National Center. Through this language I hope to bring cohesion, communication and uniformity to the approach and method by which we locate our children.

Our goals are the same. Our cause will be quicker won if we consider ourselves as a team and not as individuals.

Mr. Chairman, I am not new to the concept of State clearinghouses. As a member of the Florida State Senate and the Florida House of Representatives, I was a strong supporter and leader in the legislation which initiated the funds for Florida's Clearinghouse for Missing Children, the first such clearinghouse of its kind in the Nation.

We started in 1979, and in 1984, we finally did have our clearinghouse on line as it is today. The achievements the Florida clearinghouse has made are impressive.

Recognizing the need to promote a cohesive, comprehensive program at the State levels, I introduced this legislation to provide funds to States for this purpose, but we did not, Mr. Chairman, determine where the funds would come from. We feel there are a number of organizations or agencies, I should say, and departments that are involved in missing and exploited children. We felt that through the hearing process on this bill, the determination could be made as to where these funds could come from, either a line item budget or drawing from the various agencies, if necessary.

Not much attention or open support has been given to the concept of State clearinghouses back in 1979 through 1984. However,

after reviewing the number of States which have implemented some of the concepts, its merit is being tested and proven.

I believe H.R. 604 provides the Federal Government a means by which to enter into a cooperative effort with the States to help our children, an effort which, if utilized to its fullest, can be a means by which individuals at all levels and in all types of organizations can make a difference.

I believe in what H.R. 604 stands for, and I look forward to the opportunity to visit with the witnesses today, to better understand how this concept can be developed.

In closing, Mr. Chairman, I again want to thank you for your leadership, Mr. Tauke, and your fine staffs, for all of the patient assistance you have provided me and my staff in this matter. I look forward to working with you in the future on this most important issue.

Mr. KILDEE. Thank you very much, Mr. Lewis.

I did not see you slip in there. Mr. Petri, do you have an opening statement?

Mr. PETRI. No, I do not.

Mr. KILDEE. Our first panel this morning will consist of John C. Patterson, associate director for technical assistance, the National Center for Missing and Exploited Children, Washington, DC; Alex Ferguson, superintendent, Division of Administration, Illinois State Police, Springfield, IL; Wayne Quincey, Division of Criminal Justice Information Systems, Florida Department of Law Enforcement, Tallahassee, FL; and Carroll L. Bidler, director of the Division of Administrative Services, Iowa Department of Public Safety, Des Moines, IA. Please come forward.

Your entire written testimony will be included in the record, and you may summarize. As a matter of fact, with our schedule this week, I would encourage you to summarize your testimony, but I will not give you the gavel. I want you to be able to feel you can express yourself fully.

Mr. Patterson.

STATEMENTS OF A PANEL CONSISTING OF JOHN C. PATTERSON, ASSOCIATE DIRECTOR FOR TECHNICAL ASSISTANCE, NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN, ACCOMPANIED BY JOHN B. RABUN, DEPUTY DIRECTOR FOR TECHNICAL ASSISTANCE AND TRAINING; ALEX FERGUSON, SUPERINTENDENT, DIVISION OF ADMINISTRATION, ILLINOIS STATE POLICE; WAYNE QUINCEY, DIVISION OF CRIMINAL JUSTICE INFORMATION SYSTEMS, FLORIDA DEPARTMENT OF LAW ENFORCEMENT; AND CARROLL L. BIDLER, DIRECTOR, DIVISION OF ADMINISTRATIVE SERVICES, IOWA DEPARTMENT OF PUBLIC SAFETY

Mr. PATTERSON. Thank you very much, Mr. Chairman, members of the committee.

On behalf of the National Center, it is a pleasure for us to be here today. We see these hearings as being an important role in the factfinding mission of Congress as it deals with the legislative matters that you have to deal with, and just very briefly I would like to summarize the testimony that I have, Mr. Chairman.

It was interesting as I came in today and glanced through copies of other testimony that there are some factual errors in testimony that will be presented on the second panel, and I would like to ask the chair's indulgence, if possible, in being able to respond to that testimony for the record so that people that are assembled here today do not have misinformation upon which to make decisions later on.

Mr. KILDEE. We will give you that latitude now, and also we will keep the record open for two additional weeks for any additional testimony anyone wishes to submit.

Mr. PATTERSON. Since the testimony in question had to do with a case that was reported in Mr. Sutherland's testimony later on, I would like to ask Mr. John Rabun, who is our deputy director for technical assistance to be able to explain the facts of that case to this committee.

Mr. KILDEE. At this time?

Mr. PATTERSON. At this time.

Mr. KILDEE. Without objection, we can proceed in that fashion.

Mr. RABUN. Thank you for this indulgence, Mr. Chairman. I do not want to be critical of my colleague, Charlie Sutherland. He and I have worked together over a number of years back when I was in the Department in Louisville.

Mr. TAUKE. He will get a chance to rebut anyway.

Mr. RABUN. Oh, absolutely, and this is not an attack. I just think it is a matter of there are some factual errors. Charlie, very appropriately says——

Mr. TAUKE. We call those additional comments sometimes.

Mr. RABUN. Fine. He very appropriately says that they may not be quite up to the minute, but I do think there are a few factual problems that need to be pointed out.

First, in the case in reference, it is contained in the last two legal page size pages of his testimony. I do not see a page number on this one.

The case in question here involves a misdemeanor warrant being issued by the Commonwealth of Virginia through the Commonwealth's attorney, the county of Fairfax. The parent in this particular case did not feel like the Commonwealth attorney was doing as much as he possibly could. He did file, in effect, what is a mandamus motion against the Commonwealth attorney, sued him. That suit went to the State Supreme Court of Virginia and was overturned, the State Supreme Court of Virginia saying, in effect, the Commonwealth attorney had followed the law and had done as much as he could do.

It was too bad, as Charlie points out, because he is absolutely correct that misdemeanor warrant going across State lines has absolutely no effect, but therein enters the problem for the National Center, perhaps as different from the private, voluntary organizations and different from State clearinghouses, and I think it is a good illustration to bring forward at this time.

Some of the testimony from Florida and I presume from Illinois and from Iowa would indicate that there are problems with Congressman Lewis' bill only in the extent that maybe it is not proper for Congress to, in effect, mandate that there has to be contact with, coordination with, what have you, the National Center.

I do not want to belabor that at this point, but I do want to point this out as a good illustration that enjoins later debate.

The National Center was charged with being a coordinative body, not an investigative body. We have no law enforcement authority, nor do we wish any. But because we are governed by contracts with the Justice Department, and maybe more specifically from the Federal Bureau of Investigation, because of access to tools such as NCIC, such as NLETS, which is the Law Enforcement Telecommunications System, "teletype" as it is usually called, we have had to agree to contracts that prohibit us, the National Center, from giving leads to parents. Let me put it a different way. That I do not think was the intent. The intent of those bodies was to say,

National Center, if you expect to get tools to be able to communicate with the rest of these guys on the panel who are in law enforcement proper, in their agencies, and also fulfill a piece of Congress' wishes, which is to coordinate with PVO's, OK. We will give a little ground in law enforcement. We will give you the tools, but, National Center, you are going to have to give a little ground in this tradeoff, let's face it, and you are not going to be allowed if you want our tools to give up criminal investigatory leads.

We call them sightings, but they are what they are; in the law they are leads on criminal cases that police agencies are working:

You cannot give them up, National Center, except to the law enforcement agency having case jurisdiction.

That was defined for us with the help of legal counsel, both for the Bureau and for Justice, as being for lack of a better term the originating agency that has the child's case entered into NCIC.

Mr. KILDEE. Let me ask at this point: If you were to find out through these sources which you cited that the missing child is in Sacramento, CA, you would only be able to communicate that to the law enforcement agency, and not to the parent of that missing child?

Mr. RABUN. Correct, and even further, not any law enforcement agency. Wayne has helped us before, and it is a problem on both ends of the spectrum. I am not sure it is resolvable here, but I just think you need to know about it.

If I know a child has been found in Florida, I know FDLA runs a very competent, thorough clearinghouse. But if when I query NCIC and I get a hit on the child and it says the child is missing, parental abduction, let's say, from the State of Iowa, I am going to have to call or teletype or whatever to Carroll in Iowa and not immediately tell Wayne in Florida, even though allegedly the body of the child resides in his jurisdiction in terms of law enforcement in the State, but it is not his case yet. It is the State of Iowa's case.

They, in turn, contact Wayne.

Mr. KILDEE. That emanates from your contract with the Justice Department?

Mr. RABUN. Yes, sir. It is signed off by us, by OJJDP, main Justice and the Bureau, and a subsequent contract with the NLETS Board.

I do not say that is perfect. I am certainly not trying to paint that picture. I am simply saying in a nation, particularly systems in this particular city that are based so heavily in terms of contracts and law and policy and procedures, yes, there are some problems, and they are perceived problems not only by the parents in

the cases, not only by the PVO's, not only by law enforcement, but also by us.

Unfortunately, the National Center has gotten itself and I think rightfully so in the middle on all of these, but that is explicitly what I think Congress and OJJDP charged us to do: be in the middle. We do not enjoy taking the flack, but it is ours to take. That is fine.

But in the meantime, I do think we need to know what laws, policies, procedures, and contracts are out there that absolutely govern our behavior. If Congress wishes to give us criminal justice authority or say that, for instance, we have further access to NCIC or what have you and make it a matter of congressional mandate, perhaps that is also a way to go. But even though Charlie is totally appropriate in bringing up the case because it is illustrative of a problem, what Charlie cannot know because he is not party to all of this is the reasons why it has had to go that particular way.

I might add, I think from any of you gentlemen with a law background, you can well understand why law enforcement at least feels that leads should never go to anyone but themselves. Sometimes I will have to admit that is a bit pejorative and a bit too much of it is our turf and you do not play on our turf. But, on the other hand, there are good, reasonable reasons for that that have to do with legal liability.

As a for-instance, yesterday we were back up again pleading with ABC and NBC televisions, would you please put on parentally abducted kids? They have backed off of that. The reason they backed off is because in August, I believe, Child Find, which is a national organization based in New York State, is under a large tort action, being sued because allegedly they did not do the right kind of investigation, and they put the pictures of three kids on TV on the west coast. The three kids were picked up by law enforcement, but, in fact, legally the three kids were not abducted.

Morally, ethically, yes, they were, very much in the same type sense of the case that Charlie is bringing up. But in a law enforcement sense, law enforcement being charged to enforce criminal statutes, the criminal statute in that particular case allegedly had not been violated because, in fact, there was not a statute.

Well, part of the history, too, of the National Center is we have with the help of our colleagues in PVO's and in law enforcement been able to assist in passing a plethora of State legislation so that other than the District of Columbia and the State of Tennessee right now, we have good statutes in the States that say, hey, you cannot just split with your own kid when it is violation of court orders. Otherwise, law enforcement can go after you.

Unfortunately, in the case in reference here, this is a 3½-year-old case. Virginia's laws also have been changed. Unfortunately, that is ex post facto if you are going to deal with this case, and my simple reason for wanting the exception, which you kindly granted, was to let you know there are some reasons in law and in fact that back up this case that, fortunately or unfortunately, we just simply have to support, and really have no problem with supporting them, even though there are obvious problems with the statutes as they were heretofore existing and even, in fact, with some of the present contracts and agreements. That is, as I am sure you have great

sympathy for, extremely difficult to get changed in this town. I am not downing anybody. It is just a fact of life.

Mr. KILDEE. You have imposed by the contract a quasi-sealed confession then, where you cannot reveal——

Mr. RABUN. I think that is a pretty good way to refer to it.

Mr. KILDEE. Thank you very much for the clarification.

Mr. RABUN. Thank you, sir.

Mr. KILDEE. Mr. Patterson, do you want to finish your testimony now?

Mr. PATTERSON. Thank you very much, Mr. Chairman and members of the committee. I appreciate the opportunity to clarify the situation on that particular case. I think John did not put the punch line into it though. Through working with the police departments involved, there was a recovery made, and they did work the lead, and at least the child has been located, ascertained to be safe, and the parents are now following whatever civil remedies they have.

I think that it is also indicative of the need for looking at dealing with missing and exploited children as an issue that requires a systems approach. One of the things that we have to do as we look at the limited resources that have been available is to certainly make the statement that this is not just a law enforcement problem. It is not just a PVO problem. It is not just a runaway problem. It is a problem that involves pieces of all of those, and there are legitimate roles that every one of those organizations and the National Center have to play.

Until we start to deal with missing and exploited children as a systems problem, and it is an emerging system; it is not one that has the advantage of having been in place for years and years and years and years. The environment out there has changed significantly since the passage of the Missing Children's Assistance Act. We have found that our efforts, the efforts of the private, voluntary organizations, the runaway programs are beginning to make a difference in what happens to children who are missing and exploited. We are seeing a more responsive local law enforcement agency. We are providing them with some materials.

When the National Center developed its "Investigator's Guide for Missing Children," we were amazed. It felt like we were reinventing the wheel or we should be reinventing the wheel, but there was not anything out there that we were certainly aware of, and we had input from a lot of law enforcement people on that. Since that time, we have distributed about 40,000 copies of that to local law enforcement.

We are seeing an increase in NCIC usage. In the last 3 years NCIC usage has increased over 100 percent so that the tools that are out there for law enforcement to use in effecting locations of children are being used more effectively.

We have seen the passage of legislation on the State level in at least 47 of the States that improve child protection. So I think that the environment is changing, and with it is growing the awareness that we cannot do everything unless we work together, and we certainly are attempting to do that.

One of the things that I think it is important to look at is just exactly what state clearinghouses do. The National Center took a

look at the legislation in 30 States, which established clearinghouses, and identified about 10 different functions that clearinghouses might provide, and these functions are listed in the testimony. I will not go into each one of them here.

The other thing that we have done though, that I think shows the difficulties that State clearinghouses are confronted with has to do with a survey we did of the State clearinghouses, and we found that the typical State clearinghouse is staffed by fewer than three people. Obviously if you have got three people trying to provide 10 functions, you have got a real difficulty there.

Only seven of the State clearinghouses have identified budgets in excess of $100,000. Again, resources on the State level seem to be limited in assisting the State clearinghouses in doing what they need to do, and it is unfortunate, but that may be raising false expectation. It may be better not to have a State clearinghouse in a particular State, at least not have the legislation for a State clearinghouse, unless there are the resources there to provide the services that State clearinghouses should provide.

The other thing is that we find that only about four of the State clearinghouses deal in their legislation in the area of exploitation. We do not believe that the missing and the exploited can be effectively separated, that there is just too much relationship between the two issues.

In terms of what we are doing at the National Center working with State clearinghouses, about a year ago we brought together representatives from all of the State clearinghouses that were in existence at that time, people representing agencies that there was legislation in the works to establish clearinghouses and representatives from State law enforcement agencies, and this was the first time that we had gotten together on the national level to talk about the issue of State clearinghouses and what they should do.

Out of that meeting the program which the National Center has for the State clearinghouses is growing, and I say it is growing because it is certainly not established now. It is a participatory program. It is a program that even though we are providing limited funds to the State clearinghouses through a contract, it represents a commitment by the National Center to work with the States as much as it does a commitment on the part of the States that are under contract to participate with the National Center.

We see ourselves as facilitating the exchange of information in the growth of the testimony, in the growth of the discipline. We do not see ourselves necessarily as the agents for that exchange. We are not law enforcement agencies.

One of the philosophical reasons that we have for networking the way that we have decided to go about networking is that there are over 19,000 local law enforcement agencies out there, and it is impossible for the National Center or any national organization to have an impact on 19,000 individual organizations unless there is some kind of intermediary organization that is working at the state level to effect changes in the state.

For example, the State clearinghouse can work with the law enforcement training agency in the State to be sure that missing and exploited children are dealt with adequately in the basic training and OJT that law enforcement officers receive. That is just one ex-

ample of what a State clearinghouse can do on the State level, and if we can provide them with information gleaned from the experts and all they have to do is distribute it, incorporate it into their training curriculum, then I think we have done a service, and that will eventually have an impact on those 19,000 law enforcement agencies, but we cannot go out and train people from each law enforcement agency.

There are a number of services that we are going to be providing, a number of objectives. One of the things that I am excited about is the opportunity for us to provide increased technical assistance to the State clearinghouses. One way we propose to do that is to use experienced staff from a clearinghouse and broker those services to another clearinghouse so that we will be receiving the practically gained experience from one clearinghouse and helping transfer that to other clearinghouses. This is not something where we are going to have a cadre of national, fuzzy-headed consultants going out to do technical assistance. We are going to have people that are actually in the business and provide that.

One of the interesting things, I think, is that although we sent out requests for proposals to 33 clearinghouses, we received only 18 responses. We had a total amount of roughly $530,000 to distribute, and we still have about $180,000 of that left. So we are going to be looking to find out what States did not apply and see if there is some reason or some way that we can incorporate them and get them to participate.

Another area that I think State clearinghouses can be particularly helpful in is between States. We have no orderly way right now of effecting the recovery of a child, and we have had a lot of experience in trying to set up recoveries. State clearinghouses can provide a point of contact to assist in that.

Hopefully that is going to evolve down the road a ways into an interstate compact on recovery of children. We can extradite the abductor, but there is no routine way of effecting the recovery of a child, and I think that is one of the areas that the clearinghouses are going to have to work together to try to determine what we may be able to do.

Mr. Chairman, I do believe that H.R. 604 is an important piece of legislation. State clearinghouses are a key component of the system that is necessary to adequately deal with missing and exploited children. There are numerous examples of successes which the other people that are on the panel will be talking about, what has happened in their clearinghouses and the successes that they have had in reuniting families with their children. I think these are things which are very important and certainly satisfying. Any time that we can assist in recovering a child, then we know that we are doing our job.

With that, I would like to end the oral testimony and will be ready for questions.

[The prepared statement of John C. Patterson follows:]

PREPARED STATEMENT OF JOHN C. PATTERSON, ASSOCIATE DIRECTOR FOR TECHNICAL ASSISTANCE, NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

Mr. Chairman and distinguished members of the Committee, on behalf of the National Center for Missing and Exploited Children, it is indeed our pleasure again to have the opportunity to present testimony to this Committee. Our testimony today will address four basic points:

1. The need to develop a systems approach to resolve cases of missing and exploited children.

2. A description of functions supported by state clearinghouses for missing and exploited children.

3. The status of the National Center's involvement with state clearinghouses for missing and exploited children.

4. The need for such clearinghouses as a component of the system.

NEED FOR SYSTEMS APPROACH

Mr. Chairman, if we do not accomplish anything else with our testimony today, I hope that we can establish a basis for addressing the problems of missing and exploited children in the context of a system with legitimate roles for a variety of organizations and agencies. This is not just a law enforcement problem, nor it is just a problem for private voluntary organizations, nor just for runaway programs--it is a problem that transcends the organizational focus of any single agency or discipline and requires cooperative endeavors on behalf of children and their families.

As this system is being developed, much rethinking is necessary for those who have a historical involvement. The environment has changed during the time since the Missing Children's Assistance Act was enacted, and there is much change yet to be made.

The local law enforcement agency continues to be the primary organization responsible for the investigation and resolution of missing and exploited child cases. They have come a long way in responding to this responsibility. The FBI statistics on NCIC usage show a 104% increase in the records entered in the missing persons file between 1983 and 1985. This represents tangible evidence of changes in the institutional behavior of law enforcement agencies toward missing child cases. There is still progress to be made, however. For example, in cases of runaway children the traditional law enforcement response has been to return the child home without consideration of the cause of the child's leaving home. This needs to change: Investigators need to interview the child to determine this cause and the appropriate resolution of the problem.

We feel that it is important to state for the record that the system responding to missing and exploited children cannot ignore the valuable contributions made by other agencies outside of law enforcement. We need to acknowledge the role of the private voluntary organizations which have been the backbone of this issue. These organizations provide services to the families of missing and exploited children that law enforcement agencies are usually ill-equipped to provide--the consolation of grief-stricken family members, the widespread distribution of posters, and assistance in dealing with the intricacies of local child custody laws. These are needed services usually not readily available from law enforcement agencies.

Runaway programs provide valuable services to the runaway population. Such programs have been effective advocates for their youthful clients, often overlooking the needs of the family that is searching for the child. The system that needs to be developed must balance the preservation of parental rights with the legitimate concern for the protection of the child. Mr. Chairman, we would argue that allowing the runaway to become a victim of the streets is totally unacceptable to those of us who care about children. Our system needs to reunite families whenever possible and to provide safe alternatives for those children whose families are so dysfunctional that the children must have other living situations.

It is also important to remember that many of the youths on the streets of America are children who have fallen through the cracks of the child welfare system and who do not have families actively seeking their return. The system that addresses the problem of missing and exploited children should include strong ties with the child welfare system so that effective long-term placements and emancipation programs are available. The current system allows these children to bounce in and out of temporary placements in runaway shelters, group homes, and foster care between episodes of exploitation on the streets. This too must change.

With the number of states with clearinghouses for missing and exploited children nearly doubling during the past year, the National Center, with encouragement and assistance from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), set about to develop a program that would more adequately address system requirements through the development of state clearinghouses for missing and exploited children. These clearinghouses provide the basis for the in-state coordination of programs for missing and exploited children and also permit the development of an interstate system or network.

It may be useful, Mr. Chairman, to remember that in its current form the Missing Children's Assistance Act makes no specific reference to state clearinghouses; they are, however, a critical component of the kind of system necessary to remedy the deficiencies cited by Congress in Section 402 of the Act. For example, Section 402(5) states, "abducted children are frequently moved from one locality to another requiring the cooperation and coordination of local, state, and federal law enforcement efforts;" to remedy this situation, state clearinghouses can aid in the "cooperation and coordination" between various levels of law enforcement both in-state and outside of the State.

The philosophical basis for the networking is simple--there are over 19,000 local law enforcement agencies in the United States. In addition, there are numerous public and private child welfare and protection agencies, private voluntary organizations and runaway organizations. The expectation that the National Center or any agency on a national level can support systematized organizational improvement in each of these agencies without an intermediary organization is not realistic. A state level agency in each state through which information to the line agencies can be channeled, however, will provide a greater opportunity for a coordinated approach.

Some of the clearinghouses have established an advisory group consisting of representatives from private voluntary organizations, educators, child welfare services, runaway programs, local law enforcement, prosecutors, and representation from the private sector. We support this arrangement and feel that it strengthens the state clearinghouse program to have these ties to their constituencies and promotes the kind of communication necessary for an effective program. In addition, the advisory group can provide a forum for others involved in the missing and exploited child issue to share their concerns and participate in the development of the system necessary to expedite the resolution of missing or exploited child cases.

Missing and exploited children are public safety issues and quite often require law enforcement authority to resolve. Therefore, we feel that the state clearinghouse should be placed in a law enforcement agency, as has been done in most of the states with clearinghouses. It should be pointed out, however, that some states have placed their clearinghouse in other than a law enforcement agency with good results--most notably the State of Ohio, which has its clearinghouse in the Education Department. The determination of success is not vested in the agency in which the clearinghouse is placed, but rather in the quality of communication and coordination effected by the clearinghouse and its personnel.

STATE CLEARINGHOUSE FUNCTIONS

There are several functions that may be provided by State Clearinghouses for Missing and Exploited Children. These functions are realized in various ways in the legislation that has been enacted on the state level in 30 states--25 in which state clearinghouses on missing or exploited children have been established and 5 in which central repositories have been established.

TYPE OF CASE

In the legislation that has been enacted on the state level, only 4 states (Illinois, Louisiana, New York, and South Carolina) reference exploitation as an area of concern for the state clearinghouse. The other 26 states have legislation that focuses solely on missing child or missing person cases. The National Center is an advocate for inclusion of child exploitation as an area of concern because the issues of missing and exploited children cannot be separated effectively. Even in situations where the initial disappearance of the child was not engineered for the direct purpose of sexual exploitation, the child frequently becomes the victim of exploitation during the time the child is missing from the home. Runaway children may be fleeing from abuse or sexual molestation in the home.

AGENCY COORDINATION

The state clearinghouse can provide the point of contact and referral for access to a variety of federal, state, and private voluntary organizations. This is particularly important in cases involving multiple jurisdictions or interstate recoveries of missing children. Due to the volume of cases with which a state clearinghouse has contact, such coordination becomes routine and lines of communication and processes used become established and familiar, whereas local agencies may need to re-establish such contact in relatively infrequent occurrences. Four states make provision for this kind of coordination in their missing children's legislation.

NCIC ACCESS

Twenty-five states with state clearinghouse legislation have enacted legislation requiring entry of missing child cases into the FBI's National Crime Information Center (NCIC) Missing Persons File. In addition, 8 other states have legislation requiring entry of missing child cases into the NCIC files. This file is the only missing child registry that is accessible to all law enforcement agencies and as such is an invaluable tool to assist in the resolution of missing child cases. State clearinghouses should be able to assist families of a missing child in assuring that the child is properly entered into the NCIC system. It is important that state clearinghouses be placed in agencies that can facilitate direct access to NCIC.

ASSIST LOCAL LAW ENFORCEMENT

Nineteen states have enacted legislation providing specific authority for the state clearinghouse to assist local law enforcement agencies either upon the request of the local agency or, in some cases, upon their own initiative. State clearinghouses can assist the local agency through special expertise, technical knowledge, provision of special equipment, and assistance in crime analysis in cases involving several jurisdictions or agencies. Although only 1 state (Illinois) has legislation for the state clearinghouse to prepare emergency response plans, this is an area that clearinghouses can play a unique role. Such plans can ensure the most effective and efficient use of state resources during missing child investigations.

Another kind of assistance to local law enforcement is in the area of child sexual exploitation. Two states have made provision for their state clearinghouses to develop and maintain information files regarding child sexual exploitation--such as data on convicted child molesters. State clearinghouse staff can provide assistance in exploitation cases involving child pornography, child prostitution, or child sex rings that display internal organization that transcends a single jurisdiction or that have links to local crime networks.

TRAINING OF CRIMINAL JUSTICE AND YOUTH SERVICES PROFESSIONALS

The experience of the National Center and other organizations involved in the issues of missing and exploited children demonstrates the need for development and delivery of specialized training programs for criminal justice and youth services professionals. It is essential that law enforcement officers, prosecuting attorneys, child protective services workers, mental health professionals, and medical personnel receive specialized training to help them handle missing child cases and child molestation cases. Experience has demonstrated that unless this responsibility is clearly assigned, it will not happen. Because of their specialized knowledge and expertise, the clearinghouse should have a legislated responsibility to facilitate the development of curriculum content and training materials as well as have authorization to disseminate training materials--as has been enacted in 11 states.

ASSIST IN THE RETURN OF CHILDREN

Unfortunately, one of the most difficult aspects of a missing child case is often the return of the child. In cases of parental kidnapping, the cost of court appearances in another state can be devastating. The abductor--if in another state--may be returned through extradition proceedings. No such procedure exists for the child who may be taken across country. It is left to the family to make arrangements for the child's return--often a costly process. The state clearinghouse can be of tremendous assistance in facilitating the recovery of the child both within the state as well as between states. Assistance can be brokered through private sector voluntary efforts and through private voluntary organizations. Such assistance by clearinghouses in recovering children is authorized by legislation in 5 states. State clearinghouses may also facilitate the development of an interstate compact on missing children.

STATEWIDE MEDIA SUPPORT

Because local agencies cannot obtain the widespread dissemination of information and photographs necessary to assist in locating the child, state clearinghouses need to be able to assist the investigation of missing child cases through the distribution of photographs and posters of missing children to the public and to the media. This requires that clearinghouses establish the necessary contacts prior to their need so that statewide dissemination can take place as rapidly as possible through both broadcast and print media. This function was recognized in the legislation establishing clearinghouses in 6 states.

CENTRAL REPOSITORY

An important function for the state clearinghouse is to create a central repository for information on all missing child cases--especially the cases of missing children from that state. This repository should not be confused with the FBI's National Crime Information Center (NCIC) Missing Persons File, although it may keep some of the same information kept by the NCIC system. The repository should not be seen as an alternative to NCIC but as supplemental to it, maintaining picture files, information on sightings, and other kinds of information not capable of storage in the registry maintained by NCIC. The clearinghouse should be equipped with a toll-free telephone line for use in accepting citizen reports of sightings of missing children within the state. Seventeen of the states with legislation concerning missing children include provision for a central repository.

DEVELOPMENT OF PREVENTION AND EDUCATION MATERIALS

In addition to assisting in the resolution of cases, state clearinghouses for missing and exploited children should play an important role in prevention. For example, in Arkansas, the missing children's program in the Attorney General's Office and MacDonald's Corporation worked together to develop a child safety program. The Illinois State Police I-SEARCH program has a component that provides safety instruction to school children. Seven of the states with clearinghouse legislation have made provision for their clearinghouses to provide or assist in the provision of educational and prevention programs to the community.

DATA COLLECTION

One of the more controversial issues concerning missing and exploited children is the compilation of statistics concerning the incidence of the problem. Only 4 states have enacted provisions that require their state clearinghouse to maintain historical data bases. We feel that this is an important function that is most appropriately addressed at the state level. Until a better understanding of the numbers and dynamics of the problems of missing and exploited children is gained, there will continue to be ineffective and inadequate responses--and, more important in the longrun, inadequate and ineffective prevention programs.

Mr. Chairman, these 10 functions represent the legislative provisions in the 30 states that have enacted legislation regarding state agency programs for missing or exploited children. Only 1 state, Illinois, has made provision for every one of these functions. It is important to note that, with the exception of Florida, all state clearinghouses for missing and exploited children were established after the passage of the Missing Children's Assistance Act.

Most of the clearinghouses exist with extremely small staffs. A survey of state clearinghouses conducted this summer by the National Center indicates that the typical state clearinghouse staff consists of fewer than three persons. Given the low staffing level, it would be nearly impossible for these clearinghouses to fulfill every function necessary for a comprehensive program.

The state budget allocations for state clearinghouses would also appear to be less than adequate to support comprehensive programs. Ten of the programs included in our survey do not have a separate budget but have their expenses absorbed by the parent agency. Only 7 clearinghouses report budgets in excess of $100,000. The remainder of the programs have budgets ranging from $30,000 to $75,000.

NCMEC STATE CLEARINGHOUSE PROGRAM

Since our inception, we at the National Center have supported the establishment of state clearinghouses for missing and exploited children and, in this regard, have supported the passage of legislation in most of the states in which state clearinghouses have been established. Today we are involved on several different levels with state clearinghouse programs.

Almost exactly a year ago, the National Center convened the first national meeting of state clearinghouses. During that meeting representatives of existing state clearinghouses, emerging clearinghouses, and representatives from state law enforcement agencies met for the first time to discuss their programs and attendant issues. This meeting also signifies the beginning of the process that has resulted in the National Center's current program of involvement with state clearinghouses.

Mr. Chairman, although we are highlighting the activities of the National Center as they relate to state clearinghouses, we would remind the Committee that these services are routinely provided to local law enforcement. And, with the exception of the substance of case sighting information that can only be given to law enforcement agencies, we also provide these services to parents and to private voluntary organizations.

Our current program has the following components:

- Technical Services - Assisting on cases of missing and exploited children; giving state clearinghouses lead information received over the hotline; provision of legal technical assistance on the complex parental kidnapping cases; and, training of clearinghouse staffs in the investigation of missing and exploited child cases.

- Prevention and Education Services - Assisting with the distribution of photographs to and from state clearinghouses; distribution of NCMEC developed publications for handout by State Clearinghouses; and, appraisal of educational and public awareness materials submitted by clearinghouses.

Although our relationships with state clearinghouses involve the entire Center, the primary point of contact between state clearinghouses and the National Center is in our Information Networks program. It is through this program that the processes for networking with state clearinghouses are being established and, for this reason, we will more fully describe these activities.

As stated in our application to OJJDP for funds to support the development of a network for state clearinghouses, the following objectives are being addressed:

- Establishing intermediary organizations for information dissemination - For example, the National Center develops training materials such as The Investigator's Guide for Missing Child Cases of which the Center has distributed 40,000 copies; and the booklet, Child Molesters: A Behavioral Analysis, developed in cooperation with the FBI, that has had distribution of 35,000 copies. State clearinghouses are using these materials in training programs for local law enforcement agencies and other components of the state system. In addition, staffs of the state clearinghouses are being trained by the National Center and then train police and other relevant agency personnel within their respective states.

- Serve as the main point of contact for the State with the National Center for Missing and Exploited Children - In this capacity the state clearinghouse for missing children would provide information regarding cases originating within their state--for example, the provision of pictures and descriptive information about missing children for national distribution.

- Development of uniform data systems - Development of uniform definitions and comparable data elements will assist in documenting the extent of the problem and the adequacy of the system response. In addition, the data system needs to capture information on closed cases that will enable the assessment of procedures used in the resolution of these cases so that the knowledge gained will be available for incorporation into professional training.

- Providing assurance of case follow-up - By having a state clearinghouse for referral of missing child cases originating in other states, originating jurisdictions can have some assurance of follow-up on leads that cross state lines. In addition, the state clearinghouse can provide the out-of-state agency with information concerning applicable state laws, relevant agency interrelationships, and recovery procedures.

- Facilitating the return of recovered children - Often the most difficult aspect of a missing child case is the return of the child once he or she is recovered. States participating in the network could establish cooperative mechanisms to aid in reuniting of a missing child with the lawful parent or guardian. State clearinghouses could work together to develop an interstate compact for the recovery of missing children.

- Coordinating local public awareness campaigns - State clearinghouses may conduct their own picture programs, letting the National Center know of the children involved so that sightings reported on the National Center's Hotline may be properly relayed to the investigating agency and to the state clearinghouse.

- Sharing innovative ideas - As clearinghouse programs are established, new and innovative ideas will be generated. It is important to share information as it develops in a field that is fairly new and does not have an established discipline.

- Monitoring groups and individuals seeking to exploit the missing child issue - As missing children have become a concern of a large segment of the public, charlatans and con artists have sought to exploit the issue. State clearinghouses will be able to share information with each other and with their respective consumer protection agencies concerning fraudulent operations .

The above objectives are to be pursued as the interstate networking of clearinghouses is accomplished.

In order to implement these objectives, the National Center has engaged in an ambitious program of training and technical assistance; limited financial assistance through contracts with state clearinghouses; development of a volunteer program in cooperation with the American Association of Retired Persons (AARP); and establishment of an advisory group consisting of representatives from 6 state clearinghouses to ensure that the information and services provided by the National Center are practical and oriented to the true needs of a diverse group of state level clearinghouse programs.

Mr. Chairman, the National Center has worked closely with OJJDP in developing the contracting mechanism through which we are currently providing funds to 18 states. The contracts with these states represent a commitment on the part of the National Center to work with the states in the implementation of the previously stated objectives. They were awarded in response to a "Request for Proposal" (RFP) that was distributed in early July to all clearinghouses in draft form for review and comment prior to final release August 1.

We are pleased to report to this Committee that, subject to a $20,000 ceiling per state, we were able to respond affirmatively on every request. The funds that are currently uncommitted will be made available in conjunction with technical assistance delivery to states that did not submit an application initially but that may need financial support to enable them to participate in the interstate network.

Financial assistance is only one component of the networking program of the National Center. We are commencing an increased level of technical assistance for state clearinghouses. This program responds to the needs voiced by the many new programs that have been established and are looking for assistance to learn their functions. Technical assistance will be provided by skilled clearinghouse staff who are willing to transfer their skills and knowledge to clearinghouses in other states. In addition, the National Center has allocated a full-time staff position to assist in this process.

In cooperation with the AARP, we have initiated a program to expand the personnel resources available to state clearinghouses through the recruitment, training, and utilization of senior citizen volunteers in support roles to the clearinghouse staffs.

As part of the program of the National Center, we are preparing a State Clearinghouse Operations Guidebook. The draft of this book will be reviewed by the State Clearinghouse Liaison Group in its October meeting. The final edition will be used in a training session for state clearinghouse personnel scheduled for early November. The Guidebook will be both a reference for possible referral agencies as well as provide sample policies and procedures to guide clearinghouse operations. Its looseleaf format will enable state clearinghouses to insert their information in appropriate sections.

NEED FOR STATE CLEARINGHOUSES ON MISSING AND EXPLOITED CHILDREN

As evidenced by the activities related to state clearinghouses at the National Center, Mr. Chairman, I think you can deduce the importance that we place on their existence. They are becoming a truly critical component in the service system related to missing and exploited children. Their value is both as a resource to citizens of the states in which they are located and also as a central point of contact for agencies from outside the state.

Because services that a state clearinghouse for missing and exploited children should provide are important to the implementation of a systems oriented response, the National Center supports the passage of HR 604 as a means of supplementing state resources.

The best demonstration of need may be derived from examples of state clearinghouse successes:

- The Kansas State Clearinghouse was contacted by a County Clerk in response to a woman applying for copies of her children's birth certificates. The birth certificates were flagged, indicating that the children had been reported as abducted. The State clearinghouse contacted the county sheriff, the children were recovered, and the woman was arrested, not only for the parental abduction of her two children but also for embezzling from a former employer.

- The Ohio State Clearinghouse has assisted in the resolution of several hundred cases through the comparison of school enrollment records with the reports of missing children. This state has also initiated a training program bringing together law enforcement, educators, and social services workers for training programs.

- The Illinois I-SEARCH program dispatches Illinois State Police psychologists to assist in the recovery of children. The psychologist assists in controlling the potentially explosive situation, thereby helping to minimize the psychological trauma to the child victims. Their psychologists have documented that over half of the victims of parental kidnappings suffer some form of abuse or neglect while with the noncustodial parent.

- The North Carolina Center for Missing Persons worked with the National Center and the Missouri State Clearinghouse to assist a Missouri mother locate her children in North Carolina and then coordinate their recovery.

- The Rhode Island State Police invited representatives from the National Center and the Society for Young Victims--a Rhode Island private voluntary organization--to provide training on Missing and Exploited Child cases to their State's police officers.

Mr. Chairman, these are but a few examples of the ways in which state clearinghouses, the National Center, private voluntary organizations, and local law enforcement agencies can work together to address the needs of missing and exploited children and their families.

This service system is just now beginning to overcome the growing pains associated with its development so that it can become an effective and efficient service provider.

Mr. KILDEE. Thank you very much, Mr. Patterson.

Mr. Ferguson.

Mr. FERGUSON. Thank you, Mr. Chairman, members of the committee.

We appreciate the inclusion of Illinois on this panel, and I am here to essentially talk about three areas: one, a description of I Search, the Illinois State Police-based program for missing and exploited children. I Search is an acronym which stands for Illinois State Enforcement Agencies to Recover Children. It also stands for Interstate Enforcement Agencies to Recover Children, as a result of an agreement with our contiguous States.

As I think about this issue and hear some of the testimony of John, I can assure you that we are a program that is devoted not only to missing, but also exploited children. Like the newspaper article in today's Washington Post Metro, "Day Care Owner Son Indicted in Sex Abuse," implicating child pornography and a 16-year-old son of a day care owner who has allegedly abused a 6-year-old girl.

My view is, and the view of my staff is, that 6-year-old child could have been our own. My own son was in day care centers at one time, and I do not know about that day care center. Those issues are issues that this program, I Search, does relate to. We also, of course, investigate missing children.

We were enabled essentially by the Intergovernmental Missing Child Recovery Act of 1984 in Illinois, and the secret to I Search is in its comprehensiveness. We have $5 million devoted to missing and exploited children. We have 75 staff members within our program. But I can assure you that of the 3,000 people in the Illinois State Police, if we have to act in the interest of a child, it does not matter that those 75 are the children's people. All 3,000 would act if they had the interest of a child at heart.

Within I Search, again, the comprehensive nature of the program. We have a training and education component for missing and exploited issues. We have trained policemen and educators and volunteers, counselors across the State. We have an investigations component, 20 specific I Search special agents with the Illinois State Police in every zone of the Division of Criminal Investigation underneath the Illinois State Police, dealing with both missing children and exploited children.

We have local based grants, a grant program wherein Illinois, administered by the Department of State Police, we give $2 million out to local communities to get involved in missing and exploited children issues.

We have a toll-free hot line, 1-800-U HELP ME. We do that for children who call who are in need of help. We also do it for specific investigative leads as it relates to a missing or exploited child.

We have several publications. We publish a bulletin. We publish emergency flyers concerning missing children. We have child identification packets and biographical information for children. We have a private sector liaison group where we do the milk cartons and we do half pint cartons with specific child safety tips, and we work with the McDonald's Corp. with their national child safety program.

We have a sexual exploitation task force, separate from the Division of Criminal Investigation, just within the Chicago area. Nine special agents are devoted to that task force. They work in cooperation with the Chicago Police Department, the FBI, and Customs.

We have a Criminal Intelligence Bureau where we do sexually motivated crimes. If a child is missing or if a crime involves some degree of sexual exploitation, a special form is filled out, sent in to our Intelligence Bureau, and we look for like patterns with regard to that exploitation.

We have also intelligence bulletins about anyone whom we are interested in arresting because of their involvement in child pornography or child exploitation rings.

We have a legislative component where people work on child laws and would say to our House of Representatives, we need these laws changed.

We have child safety officers, Illinois State policemen, troopers in schools across the State.

We are doing research now with the national incident study with Northwestern University, trying to come to some truth about this actual number of missing children. Frankly, my own view is that while we need to find that number of missing children and we need a number that we can point to with some degree of security that that is the number of runaways and this is the number of throwaways and this is the number of parental abductions and this is the number of stranger abductions, my own view and my staff's view is that the concern about those numbers cannot be overdrawn. What we are concerned with are the faces and the hearts and the souls of each of these children who are involved in these crimes.

We also have a psychological services program. We have three psychologists with the Illinois State Police devoted to our officers when they are in some degree of trouble, and we also have one within the psychological services program that is defined and devoted for I Search purposes. When we recover a child, and our pioneer efforts have really been in parental abduction, one of our psychologists and the mother or father gets on our State police plane with an agent and flies to whatever location it is in the Nation. We recover the child with a long and complicated psychological services process. The psychologist talks to the child first, prepares the mother for the reintegration, and then stays with that family over time so that when that child is redeveloping within his new family, he or she has somewhere to go: our psychological services program; and the mom and dad have somewhere to go, as well.

That is an effort that I do not think is repeated anywhere in the country.

I suppose all of those components can be said to have been implemented and defined with one interest at heart, and that is the safety of the child. Our view is that we will treat your children, perhaps grandchildren, as if they were our own, and we would hope that you would treat them the same.

With reference to H.R. 604, we support State clearinghouses. We believe they are necessary. We believe though that they must be comprehensive. While H.R. 604 addressed education and liaison with groups, it does not address the access to intelligence work, to investigators, and some of the hardcore police operations that we

believe needs to be done, and that we believe that without every component of a clearinghouse, that you may miss something even though your intentions are very good. You may miss something that is important to that child.

So we believe in a comprehensive clearinghouse that has access to police intelligence and police investigation.

The wording of H.R. 604 is very good, but the wording alone will not commit people's hearts and minds to this issue, and what we have to find in each State are those dedicated advocates and those dedicated people in departments of law enforcement and departments of State police who say, not only will we apply for Federal money, but after that, we will devote our programs and devote our officers to helping to resolve this issue: missing and exploited children, because it is very complicated. It is a large morass in many areas.

So H.R. 604 we believe in. We believe the State clearinghouses are important. We believe they help when we talk to other States about the recovery of a child in their particular State.

In the future, we believe that I Search was the right way to go for Illinois, and we have committed our spirit to change a process about children that was in the past very bureaucratic and very complicated. We believe that there needs to be increased investigative programs dealing with child sexual abuse and exploitation.

There is a clear nexus between a runaway child and the exploitation of children on the street. We have to find out more about that. We have to look at that research, and we have to begin research into that area.

We have to examine more closely the short- and long-term effects of the psychological abuse of children when they are abducted. Within parental abduction, which I think it is safe to say we have pioneered parental abduction and parental abduction recovery strategies, there is psychological abuse that harms children in almost every case, and we have done a lot. In many cases, not at all; in many cases, there is sexual and physical abuse. That does not come out on the day of recovery.

Traditional recovery would say: you recover the child that is with a parent who is illegally having that child. You bring the child back home. You tell the child, now you live here; here is your mother that you thought was dead. And then the program leaves.

That is not how we view it. The pscyhological trauma of sexual abuse, to psychological trauma of physical abuse, and many times the psychological trauma of psychological abuse is not found for 3 months or 6 months or 1 year after that recovery. We feel that is our job, too, to deal with that abuse. You do not see that in the papers. We cannot do that, and we should not. It harms the victim and it harms the victim's family.

I am convinced, too, about parental abduction that if we work hard and we use all law enforcement investigative avenues that we have at our disposal, that parental abductions are solvable. In the majority of cases, we can solve parental abductions quickly. A crime that is not done out of love and concern generally for the child, a crime that is done out of frustration and depression between two adults.

As I said, we are researching and need to research more with Northwestern into the issue of public fear, as to how it relates to the delivery of child safety programs. Are people afraid? Are they more afraid today than yesterday?

I remember in my own home beginning to lock the doors of my house, where in the past we did not. It did not cause me any great psychological harm. Now today we are saying that children have to be safe and children have to be told certain things to help them. Is that causing fear? We have to research into those areas.

Are we becoming a paranoid society? I do not know the answer to that. From the preliminary research we have done from Northwestern, the public supports child safety education, and the public supports our prevention kinds of programs.

We also have to expand exploitation of children, and we are planning to in Illinois, to cover the areas of substance abuse, to cover the areas of gang crime. Cities which are not like Chicago, Decatur, IL, a very small, almost rural type community, that says to us, we are having gang problems in Macon County and Decatur, IL. You would expect it in Chicago, and you would expect it in St. Louis. But all of these crimes are somehow tied together within exploitation, I believe, including substance abuse.

We as law enforcement have done a fair job with supply. But we need to get into the issue of demand. Why do these children take drugs? Why do their parents use drugs, and then the child makes a decision to take drugs after he or she sees his parents doing it?

Those issues are important to us. We believe that that is the future of our program, taking I Search as a general banner for children and covering all kinds of child abuse. But the one point that we are trying desperately to do is we believe in the cycle of victimization. We believe that a victim who is a victim as a youth will, in the future, become a person that is in jail, victims becoming tomorrow's victimizers.

Through psyhological services, through good social service help, we believe we can intercede in that cycle of victimization, and it may be the only thing we can do to stop that victim from becoming tomorrow's victimizer.

I cannot speak to the priorities of your money. I do not say that H.R. 604 should be supported with all of your dollars, beyond PVO's, beyond runaway programs, and beyond a lot of other child safety programs. But I can say that that money is important to clearinghouses, and that clearinghouses, I believe, are important to children.

Thank you.

[The prepared statement of Alex Ferguson follows:]

Prepared Statement of Alex Ferguson, Superintendent, Division of Administration, Illinois State Police

On behalf of the Illinois Inspector General - Jerome Margolis and the Director of the Illinois State Police - James B. Zagel, I convey our appreciation for allowing Illinois the opportunity to be a part of this Subcommittee's hearing on S.R. 604. This testimony will be threefold:

1. a description of the I SEARCH program
2. comments concerning S.R. 604, and
3. focusing on needs of the future

I SEARCH PROGRAM

In late 1981 and early 1982, several highly publicized incidents involving missing and abducted children resulted in the Illinois General Assembly adopting a resolution that called for public hearings to identify and define the scope of the missing children problem and government's response. The Illinois Criminal Justice Information Authority and the Illinois Department of Law Enforcement were assigned the responsibility of conducting the hearings, and after extensive research prepared a report to the General Assembly detailing the problem and making numerous recommendations on the issue.

I SEARCH is an Illinois State Police based program for missing and exploited children that was a direct result of these recommendations. It is the largest, most comprehensive state program in the country. Based upon the Intergovernmental Missing Child Recovery Act of 1984, I SEARCH was designed and developed to systematically approach the problem of missing and exploited children through public education, criminal justice system improvements, legislative change, research and direct assistance to grassroots efforts aimed at responding to the growing societal concern for child safety.

In particular, I SEARCH has set the standard for effective law enforcement based programs for missing and exploited children, because all operations are predicated upon a single concern -- the safety and well being of the child. The primary goal of I SEARCH is to prevent children from being victimized by molesters, abductors or exploiters. Prevention is best accomplished through an informed public and a responsive criminal justice system.

I SEARCH also seeks enhanced efforts in uncovering sexual exploitation, finding missing children, and reintegrating recovered children with their families. These ends are accomplished through intensive investigative efforts, effective criminal justice training programs and the development of strategic criminal intelligence programs.

During the 1985 calendar year, the I SEARCH program granted $1,344,376 to form 28 local I SEARCH Units, representing 98 local units of government. By statute, their stated objective is "to promote an immediate and effective community response to missing children..." Within this overall mandate, the statute outlines specific suggested activities, including but not limited to:

a. conducting public educational programs in abduction prevention.

b. conducting training programs and providing guidelines for children in handling potentially dangerous or exploitive situations.

c. compiling statistical and criminal incidence data to assess the problems and assist in locating and recovering missing and exploited children.

d. implementing plans to efficiently use resources to publicize and conduct searches for missing and exploited children.

Training and Education

Many I SEARCH Units' activities have far exceeded these basic expectations, and have delivered sophisticated child protection programs. In fact, the 28 Units presented over 17,000 public educational programs during 1985 reaching over 500,000 people. In addition, ISP I SEARCH public educational efforts included over 2,000 presentations to over 350,000 people. I SEARCH Units have also developed or participated in hundreds of programs reaching hundreds of thousands of people through mass media.

The local I SEARCH Units conducted over 4,000 hours of training for local law enforcement representatives, educators, social service personnel and volunteers. Topics included crime prevention, investigation of missing and exploited children cases, and a variety of other child protection issues.

ISP in cooperation with the Board of Education and the Department of Children and Family Services (DCFS) have conducted a series of seven regional workshops that reached 1,068 educators from 556 school districts. The workshops had as goals to:

Provide a basic understanding of new and existing child safety legislation.

Identify recommended safety curriculum.

Identify resources for assistance in school presentations, and follow-up of cases of possible child physical or sexual abuse.

National Conference on Missing and Exploited Children

In March 1986, the ISP and the NCMEC co-sponsored the first "National Conference on Missing and Exploited Children." Held in Chicago, the conference attracted over 750 participants from 43 states, Washington, D.C. and Canada. The conference was extremely well received. Perhaps the following comments of Illinois participant Dora Larson best sum up many of the expressed sentiments: "Thank you - to see so many caring people helps show that the work being done for the children means they will live to see their promised future. Thank you for you have helped prove that my daughter Vicki did not die in vain."

Investigative Accomplishments

Among the most often asked questions is "How many children did I SEARCH recover?" While recoveries are a significant goal of I SEARCH, it should be stated that I SEARCH spans the realm of the missing and exploited children issue, and that much emphasis is placed on public education and crime prevention. That notwithstanding, the success of I SEARCH in recovering children is impressive. During calendar year 1985, the 28 funded I SEARCH Units and the ISP recovered 1,384 children. These recoveries include only those cases where there was direct involvement in the recovery or apprehension of the child, or when investigative efforts were responsible for determining the child's whereabouts.

Children were recovered using a number of different techniques, as shown in these sample cases:

On August 9, 1985, 8 year old Nora and 9 year old Ryan Doherty of Elgin, Illinois were recovered in Terre Haute, Indiana when their playmates saw their picture on a Prairie Farms milk carton. I SEARCH provided their photographs to Prairie Farms, who distributed 2 million cartons displaying them across a seven state area in an ongoing cooperative program.

At the Illinois State Fair, ISP recovered a 13 year old boy abducted from Evansville, Indiana by a known sex offender based upon a flyer printed and circulated by I SEARCH. The abductor was arrested, and returned to Indiana to face charges. The boy was interviewed by an ISP psychologist, and reunited with his mother that evening of the recovery.

As a direct result of the ISP, Board of Education and DCFS cooperative child safety workshops, a school nurse identified two potentially missing children in her school district. The children, age 7 and 5 years old, were displaying unusual behavior, and a check of their enrollment documents revealed some suspicious abnormalities. A home visit detected evidence of serious child abuse. The children are currently under the care of DCFS while an investigation of the abuse, and possibility of their being missing is continuing.

The Decatur I SEARCH Unit in cooperation with WAND TV began a weekend news spot showing cases of missing children. On the first showing a woman reported just seeing one of the children enter a building in her neighborhood. A call to I SEARCH resulted in an immediate police dispatch and within minutes of the airing of the photograph, a runaway child was recovered.

An intensive investigation for a parentally abducted child led ISP I SEARCH to Alabama. The child, abducted at age 5, had her name changed, and was subject to continuing physical abuse by her abducting father. After running away several times to escape the abuse, her father turned her over to Alabama authorities as incorrigible. These same authorities had been alerted to the case by I SEARCH, including a detailed description of the child. An unusual birthmark led Alabama authorities to suspect this "incorrigible" child may indeed be our missing child. Subsequent investigation confirmed this, and the child was reunited with her mother after 9 years of separation.

Toll Free Hotline

In support of the I SEARCH investigative efforts, the ISP maintains a toll free hotline, 1-800-U-HELP-ME. In calendar year 1985, the hotline received 4,809 calls with information that might have helped in recovering a missing child, or with requests for case assistance. The hotline has been particularly effective in gathering leads during major case investigations. For example, in the month following the vicious abduction of Melissa Ackerman in Somonauk, the hotline received almost 2,000 calls, most from people attempting to assist with information about the case.

Publications

Five editions of the I SEARCH Missing Children Bulletin, containing photographs of missing children and information about child safety, were published in 1985, with over 100,000 copies distributed across the country to law enforcement, schools, hospitals, missing children organizations and concerned citizens.

When a child is missing under circumstances indicating foul play, ISP I SEARCH will print and distribute emergency flyers. In 1985, 13 emergency flyers were printed and 75,000 copies distributed over a several state area. Communities where abductions have taken place are saturated with flyers in an effort to develop investigative leads.

To assist in the investigation, and possible identification of a missing child, I SEARCH distributed Child Identification Packets. The packets contain a detailed biographical information form, fingerprint card and other important information. Parents maintain these packets in the unfortunate event of a missing child. To date, I SEARCH has distributed 603,110 Child Information Packets, often during child safety days. Identification efforts of local I SEARCH Units during child safety day programs include over 400,000 children fingerprinted, photographed and in many cases video taped or dental charted.

Psychological and Support Services

Inherent in the issues of missing and exploited children are psychological trauma, frustration, confusion, family violence, fear and a number of other emotionally charged variables. To address these problems, three ISP psychologists work with families and victims to handle the stress and trauma of these tragedies. Special attention is given to reintegrating recovered missing children with their families, preparing a child victim for court, or handling the devastating effects of child abduction on a family. In addition the psychologists are used to assist investigations by profiling offenders or interviewing child victims. Their skill and knowledge is also very valuable in the preparation of public educational material, to insure they are appropriate and effective for children.

Many local I SEARCH Units include within their programs the provision of direct services such as individual and family counseling, crisis intervention, reintegration of families and placement of children. In calendar year 1985, 2,721 children received these services directly from local I SEARCH Units, while another 2,020 children were referred by I SEARCH to other agencies for assistance.

Interstate Agreement

Recognizing that these issues know no territorial boundaries, I SEARCH developed the first formal interstate agreement on missing and exploited children. In August, 1985, the Governors of Illinois, Indiana, Iowa, Kentucky, Missouri and Wisconsin signed the agreement in an effort to unify these neighboring states in working together to stop the victimization of our children. The agreement sets up an I SEARCH (Inter-State Enforcement Agencies to Recover CHildren) Advisory Council that meets periodically to consider cooperative enforcement and support programs including extradition of offenders and return of children located in member states. Representatives of several other states in the midwest and south have attended these meetings in an effort to extend the concept into their areas.

Private Sector Cooperation

Numerous and varied private sector companies and associations have assisted I SEARCH in the widespread distribution of literally millions of photographs of missing children and child safety tips. The Prairie Farms Dairy alone distributes 2 million half gallon milk cartons with photographs and 25 million half pint milk cartons with safety tips each month. Photographs appear in mass transit vehicles and grocery stores; on magazines, newspapers and bank envelopes; and, even on the Chicago White Sox scoreboard. Over 100 organizations are working with I SEARCH, and have contributed an estimated $300,000.00 of free advertising space to help educate the public, and to help locate missing children.

Sexual Exploitation Task Force

In March of 1985, a Chicago based Task Force was formed to investigate cases of child sexual exploitation. Directed by the Illinois Inspector General Jeremy Margolis, the Task Force is made up of nine Special Agents of the ISP Division of Criminal Investigation who work closely with the FBI, U.S. Postal Inspection Service, U.S. Customs and the Chicago Police Department.

Since its inception in March, 1985 the Task Force has initiated 95 cases, including 53 for Aggravated Criminal Sexual Assault/Abuse, and 36 for Child Prostitution or Pornography. These cases have resulted in 61 arrests and 17 convictions to date, with 28 cases pending prosecution.

The Task Force uses a variety of investigative approaches, as illustrated by the following sample cases:

> An individual was suspected of manufacturing and publishing a magazine that explicitly described the kidnapping, sexual abuse, torture, and murder of young children. Between August and September 1985, Child Exploitation Task Force and Illinois Inspector General's personnel conducted 24 hour a day surveillance of the person as well as collecting

the garbage from his six flat building on a weekly basis. The garbage was examined and items of evidence were seized which led to the acquisition of an arrest warrant. At the time of his arrest, a search of his apartment was conducted, which resulted in the seizure of child pornography. Charges are pending.

Information was received that a modeling and escort service was actually a "front" for prostitution, possibly involving children. An undercover female Child Exploitation Task Force officer was able to infiltrate the operation and had "tricks" referred to her. Subsequently, the owners of the operation were arrested and criminal charges are pending.

Concerned parents contacted the Hammond, Indiana Police Department when their two 13 year old boys came home after being gone all night. After interviewing the children, Hammond PD contacted the Task Force to assist in locating and arresting a man and his uncle (a Chicago resident). The boys alleged these two men picked them up in a Video Parlor and took them to Chicago with a promise to take them to the movies. The boys stated the men repeatedly abused and molested them throughout the evening, and released them the next day after trying to buy their silence with gifts. The men asked the boys to come back so they could be part of a photo session. The men were identified and arrested within two days of receiving the initial information.

Following the arrests of two teachers by the Chicago Police Department, for manufacturing child pornography, several mailing lists were recovered, which identified many of their customers. On March 20, 1986, over 150 representatives from the ISP, Chicago Police Department, U.S. Customs, U.S. Postal, and local law enforcement agencies executed a series of pre-dawn raids on residences within Illinois. There were sixteen search warrants executed in the Chicago area and downstate. There also were eight consent searches simultaneously executed in Chicago. Ten subjects arrested for child pornography, and hundreds of films, magazines, tapes, and photographs were seized. During the next week, eight other residences in Illinois were contacted to conduct consent searches by ISP personnel and additional evidence was seized.

Information was received that an individual had been soliciting young (14-16 years old) girls for the purposes of taking pornographic photos. Child Exploitation Task Force personnel, acting in an undercover capacity, were introduced to the individual. Following several meetings, this person brought a 16 year old female high school student and offered to "rent" her to the undercover officers for the purpose of manufacturing pornographic movies. He was arrested at the meeting and the case is pending prosecution.

Criminal Intelligence

The ISP, Division of Criminal Investigation, has significantly expanded their Criminal Intelligence Command to deal with the special problems associated with violent and sexual crimes committed against children. Special Agents and Criminal Intelligence Analysts are used to analyze trends and patterns and study the behavioral traits of repeat offenders such as serial molesters and killers. Informational bulletins have been prepared detailing methods of operation of offenders and behavioral characteristics. These bulletins are used as training tools by law enforcement and other criminal justice agencies. Agents and Analysts also assist by fielding I SEARCH hotline calls, and providing computer assistance to unravel the huge volume of data generated in complex investigations. A major initiative of the Criminal Intelligence Command is the Sex Motivated Crime Analysis (SMCAR) program. The objective of the SMCAR program is to provide assistance in the identification and apprehension of sex offenders, molesters, exploiters, abductors and murderers through the development of a central data base of information on offenders, victims, methods of operation and vehicles used in commission of crime.

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When a sex crime is committed the data base can be searched by these criteria in an effort to identify suspects and link multiple crimes committed by the same person. SMCAR was developed several years ago, but the I SEARCH enacting legislation made reporting mandatory. In calendar year 1985, 324 SMCAR submissions were received. In at least one confirmed case, the SMCAR was the primary tool in identifying the suspect who was subsequently arrested for the crime. Due to the nature of this type of investigative data base, its effectiveness increases with age and volume. The maturity of the data base and program techniques will obviously be a significant factor in future success.

The Criminal Intelligence Command has also begun publishing special flyers on notorious wanted sexual exploiters, in an effort to collect information from law enforcement agencies around the country, and flyers on arrested offenders, in an effort to clear unsolved crimes by linking them to outstanding cases.

I SEARCH has 18 Special Agents of the ISP Division of Criminal Investigation devoted exclusively to cases of missing and exploited children. These Agents have received specialized training in the investigation of these cases, including the delicate task of interviewing child victims. To assist these Agents in their work, I SEARCH has equipped each one with a set of anatomically correct dolls.

The number of child sexual abuse cases has increased substantially with the development of an interagency agreement with the Department of Children and Family Services. The agreement sets up cooperative procedures for notification and involvement of ISP I SEARCH Agents when cases involve sexual molestation or sexual exploitation. This partnership has proven to be very effective in responding to public needs.

H.R. 604

It is the position of the I SEARCH program that State Clearinghouses for missing and exploited children are necessary for immediate and effective responses to these cases. State clearinghouses working together have resolved many problems of interstate jurisdiction. However, what is more important is what the people of any particular state want from government. In Illinois, the people defined a need for more effective responses to missing and exploited children cases. Based upon that definition and with the attitude that police and government officials have the duty to respond effectively to peoples needs, I SEARCH was implemented as a state and local government clearinghouse. Illinois I SEARCH does not presume to know what people want in other states. We do know that in Illinois, I SEARCH has been driven by the demands of our citizenry.

H.R. 604 requires certain basic needs for a state clearinghouse. It addresses the use of the National Crime Information Center (NCIC), provides for education, information, a toll-free hotline and printed material. It also requires liaison with public and private organizations and the National Center for Missing and Exploited Children (NCMEC). All of these functions are necessary components of a clearinghouse but, they are not all a clearinghouse should do. For a clearinghouse to be completely effective, it must be comprehensive. Programs of investigations, criminal intelligence, legislation, research, technical assistance and psychological services are necessary to approach the issue holistically.

The issue of federal funding being needed to initiate State Clearinghouses is one which Illinois has not found necessary. Many have viewed I SEARCH's success as being the capability of devoting a large amount of resources to the program. Clearly, the devotion of resources has allowed I SEARCH to make significant strides. However, prior to 1984, no state clearinghouse existed in Illinois and a great deal of staff work, legislative action, gubernatorial leadership and public demand made the commitment of resources and the continuing success of the I SEARCH program possible. Should a similar climate exist in other states, the same program is achievable.

Future Concerns

I SEARCH has become the model missing and exploited children program in the nation. A constant stream of requests for speakers has been received as well as numerous requests for technical assistance in setting up programs in other states. Representatives from I SEARCH assisted the NCMEC in conducting their last two annual State Clearinghouse training programs. The President's Child Safety Partnership requested testimony from I SEARCH when conducting public hearings in Chicago in May, 1986.

I SEARCH has pioneered many programs that have resulted in this level of attention. Future success demands a more concerted effort and continued innovation. What was experimental a year ago is now routine. Despite the advances of I SEARCH, many questions are still unanswered, and much work needs to be done. Future directions of I SEARCH include:

increased investigative programs dealing with child sexual abuse and exploitation;

research into the behavior of repeat child sex offenders;

research into the actual numbers of missing children, and how these children are located and recovered;

refinement of missing children investigations and child recovery techniques;

examination of the short and long term psychological effects of abduction;

ability to rapidly deploy a Task Force of investigative and support resources in major cases investigations;

increased efforts to educate the public and train criminal justice agencies regarding the real problems of missing and exploited children, and how to deal with them;

research into the issue of public fear as it relates to the delivery of child safety programs and the heightened public attention to missing and exploited children; and

expansion of the exploitation of children into the areas of substance abuse and gang crimes.

The people associated with I SEARCH are extremely proud of their accomplishments and of being part of a program that is on the forefront of this issue. Along with pride is concern -- concern that the issue doesn't die because it is too controversial or too complex, or because the problems are just too depressing to face. The media has intimated that public educational programs on these issues have caused undo fear. I SEARCH feels that is absurd and finds considerable public support for increasing efforts. Others have asserted that the response to missing and exploited children is hysteria. To label it as hysteria is much easier than dealing with the horrors of victimized children and families. It will take time to sort out the facts, to determine the actual nature and extent of problems. However, every indicator is that the problems are pervasive and significant. I SEARCH has proven that the system can work, if one has the courage, compassion and tenacity to face the issues and develop creative solutions.

Mr. KILDEE. Thank you very much, Mr. Ferguson.

Mr. Quincey.

Mr. QUINCEY. Thank you, Mr. Chairman.

First of all, let me express my sincere appreciation to you for allowing me the opportunity to discuss Florida's efforts at fighting what we all call "the national tragedy."

Mr. LEWIS. Mr. Chairman.

Mr. KILDEE. Yes, Mr. Lewis.

Mr. LEWIS. If I might, Mr. Chairman, if the gentleman would suspend just a moment, I would like to make a couple of comments about Mr. Quincey if I could.

Mr. KILDEE. Certainly. Go ahead.

Mr. LEWIS. Thank you.

For the record, Wayne Quincey is one of the finest young men in the Florida Department of Law Enforcement today. I knew Wayne through his work as supervisor for the FDLE, the Florida Department of Law Enforcement, Clearinghouse for Missing Children, and although Wayne has recently assumed new responsibilities in FDLE, he is the man responsible for the initial development and operation of one of the most successful clearinghouses in the Nation, and I am pleased that he could be with us today.

I just thought that we all should know who started the first clearinghouse in this country.

Mr. KILDEE. Thank you very much, Tom.

Mr. QUINCEY. Congressman Lewis, I might mention the fact that we could not have done anything in Florida without the efforts that you made at the State level to even begin our clearinghouse, and we are also eternally grateful for your efforts. Thank you.

Mr. Chairman, I strongly believe that the passage and implementation of H.R. 604 is both vital and necessary. The establishment of clearinghouses for missing children throughout the Nation will provide a definite linkage mechanism for States to enhance their communication with each other, as well as insure cooperation among local State law enforcement agencies.

The establishment of a network of State clearinghouses will increase communication among law enforcement agencies, families, social services agencies, schools and communities nationwide. A network of clearinghouses will establish consistency in services throughout the Nation and will encourage the establishment of national standards, which we vitally need, as well as provide a basis for accurate statistics, which we all distort.

Although every State has the need, many simply do not have the funds necessary to establish such a clearinghouse. I would strongly recommend that Federal funds be provided to, first of all, establish clearinghouses in all 50 States.

Second, funds should be provided to enhance the programs of those States that have taken the initiative to establish such clearinghouses.

Third, funds should be provided to expand those clearinghouses currently in existence.

I believe that all grants provided to States to establish clearinghouses should be administered through an agency such as the Office of Juvenile Justice and Delinquency Prevention. I would recommend that these funds be made available to the States based on

the State's submission of requests for funding, clearing identifying goals and objectives. Allocation should be awarded by evaluating established criteria, such as the size of the State, the needs of the State, and how actively the State has been involved in the issue.

Review and approval of these grants could be administered by an advisory board, consisting of representatives of law enforcement, social services agencies, private organizations, State clearinghouses, certainly the National Center for Missing and Exploited Children, and the Office of Juvenile Justice and Delinquency Prevention.

The disappearance and tragic death of Adam Walsh significantly increased our awareness of the problems of missing children, and as a result of Congressman Lewis's efforts, the Florida Department of Law Enforcement established the first missing children information clearinghouse in the Nation. We became operational in February 1983, the primary purpose being to collect, store and disseminate information regarding missing children.

We do not conduct investigations regarding missing children. It does provide a centralized file for the exchange of information. We do provide an enormous amount of liaison among citizens, private organizations, law enforcement agencies, and as Alex alluded to a few minutes ago, our social services agencies in the State. If you do not do that, you are missing a tremendous amount of information throughout any State.

We recognized early the need to define exactly what a missing child is. For the purposes of our Florida program, we define a missing child as any child who is under the age of 18, who is missing from Florida or believed to be in our State, whose location cannot be determined, and who has been reported missing to a law enforcement agency.

We accept information on any child whose whereabouts are unknown, regardless of the circumstances. Any information that we receive at the clearinghouse in Florida is immediately given to the primary investigative agency.

Another vital mechanism which I think we all or many States do ignore is the National Crime Information Center. NCIC, as you know, is a nationwide telecommunications network that law enforcement agencies use to communicate information regarding missing persons. This is a very vital, vital program, and a vital telecommunications network, and every effort should be made to encourage all States to utilize this valuable resource.

The importance of the National Center and State programs working in unison cannot be overstated. However, we should keep in mind that individuals working at the State and local level are closest to the problem. They are sensitive to the concerns of the State and local areas and can be most responsive to the problems of missing children. I feel that the National Center should continue to play a very vital role in assisting the States to address the problems of missing children.

However, it is important that States be allowed to maintain their own operational control of their own clearinghouses. Their relationship with the National Center should be to address issues of national importance and to exchange information.

Mr. Chairman, we have come a long way in our efforts to protect our children. We feel that the passage and implementation of H.R. 604 will continue to improve on that.

I would urge this committee to be proactive in responding to one of the most national tragedies that we will ever know. Let's not wait for an incident such as the Adam Walsh incident to occur in every State before we become active in this area.

Again, I appreciate your support. We appreciate the time to be able to come and address this issue with you today.

Thank you.

[Prepared statement of Wayne Quincey follows:]

Prepared Statement of Wayne Quincey, Division of Criminal Justice Information Systems, Florida Department of Law Enforcement

I. Introduction

Mr. Chairman, let me express my sincere appreciation to you for allowing me the opportunity to discuss with you Florida's efforts to fight what's been called a national tragedy affecting our most important resource, children.

II. The Need for Federal Assistance

Mr. Chairman, I strongly believe that the passage and implementation of H.R. 604 is vital and necessary. I am of the opinion that we have only touched the surface of this serious societal problem. The establishment of clearinghouses for missing children throughout the nation will provide a linking mechanism for states to enhance their communication with each other, as well as ensure cooperation among local, state and federal agencies. The role of the state clearinghouses cannot be underestimated in their ability to respond to the needs of missing children and increase the awareness of the problem through law enforcement, schools, newspapers, television stations and other media. The establishment of a network of state clearinghouses will increase communications among law enforcement, families, social service agencies, schools and communities nationwide.

A network of missing children clearinghouses will help establish consistency in services throughout the nation and will encourage the establishment of national standards for state clearinghouses, as well as provide a basis of accurate statistics on the numbers of children currently missing. Although every state has the need, many do not have the funds necessary to establish such a clearinghouse. I would strongly recommend that federal funds be provided to first assure the establishment of clearinghouses in all 50 states. Secondly, funds should be provided to enhance the programs of those states that have taken the initiative to establish clearinghouses. Thirdly, funds should be provided to allow for expansion of state clearinghouse services.

I believe that all grants or funds provided to states to establish clearinghouses should be administered through an agency such as the Office of Juvenile Justice and Delinquency Prevention (OJJDP). I am recommending that these funds be made available to the states based on the states' submission of requests for funding outlining clearly-defined goals and objectives. Allocations should be awarded by evaluating established criteria such as size of the state, needs of the state and how actively the state has been involved in children's issues. Review and approval of these grants could be administered by an advisory board consisting of representatives of law enforcement and social service agencies, private organizations, state clearinghouses, the National Center for Missing and Exploited Children and the OJJDP.

III. Florida's Efforts

The disappearance and tragic death of Adam Walsh significantly increased Florida's awareness of the problems of missing children. Florida realized that the missing children problem is not just a law enforcement or a parental problem, but a societal problem. The Florida Legislature recognized the need for action at the state level and appropriated funds to the Florida Department of Law Enforcement (FDLE) for the establishment of the first state Missing Children Information Clearinghouse in the nation.

The Florida Missing Children Information Clearinghouse (MCIC) has been operational since February 1983, and collects, stores and disseminates information to assist in the location of children missing from Florida or believed to be in Florida. MCIC does not conduct investigations regarding missing children; it does provide a centralized file for the exchange of information.

Additionally, the MCIC provides liaison among citizens, private organizations and law enforcement officials regarding missing children information.

The MCIC is currently staffed with four positions and has an annual operating budget of approximately $145,000.

The major services provided by the Florida MCIC are:

1. A toll-free in-state WATS line (1-800-342-0821) is available 24 hours a day, 7 days a week, to immediately report a child missing, to immediately receive sighting information on possible missing children, and to respond to requests for assistance and information.

2. A directory of resources is available for additional assistance in locating a child. The directory contains names, addresses and telephone numbers of public and private organizations, runaway shelters, runaway hotlines, and out-of-state agencies.

3. The MCIC publishes and distributes emergency flyers containing photographs and descriptions of missing children believed to be in immediate danger. The requests for these flyers must come from law enforcement agencies.

4. The MCIC publishes and distributes, on a monthly basis, a bulletin relating to missing children. The bulletin includes the photographs and descriptions of approximately 12-15 missing children from Florida or believed to be in Florida. The bulletin has a circulation of approximately 2,100 and has proven to be successful in helping to locate missing children.

5. The MCIC provides training to law enforcement agencies regarding the services and functions of the MCIC, pertinent legislation and the correct utilization of the FCIC/NCIC systems with regard to missing and unidentified children.

6. The MCIC provides training to private organizations, civic groups, and other concerned citizens regarding the operations of the MCIC, the scope of the missing children problem, preventive measures and how they as citizens can assist law enforcement agencies.

7. The MCIC distributes personal identification fingerprint cards to criminal justice agencies upon request. These agencies in turn coordinate child fingerprinting programs in their jurisdictions.

8. The MCIC, when requested, provides assistance to local law enforcement agencies with child safety/fingerprint programs. One of the main purposes of the MCIC is to provide liaison and promote cooperation between private citizens and law enforcement agencies regarding missing children information. These safety programs also increase public awareness of the missing children problem.

9. The MCIC publishes a Child Safety Guide which contains common sense ideas for parents to discuss with their children, ways to prevent a child from being abducted, as well as what to do if a child does become missing. This safety guide is distributed to law enforcement agencies, civic groups, parents, and concerned citizens.

10. The MCIC publishes a School Safety Programs Brochure which contains suggested procedures for establishing programs to ensure our school children's safety and to involve schools in the prevention of missing children. This brochure is distributed to law enforcement agencies, school officials, parents, and concerned citizens.

11. The MCIC, in cooperation with Florida Public Television, developed and distributes a Public Service Announcement (PSA) which contains the photographs and physical descriptors of missing children and is transmitted to television stations in Florida. Every month, MCIC sends Florida Public Television the photographs from the Missing Children Bulletin, and they use these photographs to update the PSA.

12. The MCIC works closely with television stations, newspapers, movie theaters, and others in an effort to publicize children who are currently missing.

13. The MCIC developed the Florida Juvenile Handbook which contains suggested procedures, guidelines and statutes related to selected juvenile topics. It consolidates many local, state and federal laws and procedures involving juveniles and can be used as a ready reference guide by law enforcement officers, social workers, and judicial officials.

Florida recognized early in establishing the clearinghouse the need to clearly define what a missing child is. For the purpose of Florida's program, a missing child is defined as any person under the age of 18, missing from Florida or believed to be in Florida, whose location cannot be determined and who has been reported missing to a local law enforcement agency.

The MCIC accepts information on any child whose whereabouts are unknown, regardless of the circumstances. Any information received pertaining to a missing child is forwarded immediately to the primary investigative agency.

All missing children, whether they have run away, have been abducted by a non-custodial parent or criminally abducted are injured in some way by their experience. The largest number of missing children fall into the categories of runaway and parental abduction. With that in mind let me first discuss runaways.

Law enforcement officers tell us that most runaways return home within 48 to 72 hours. We've learned in Florida through discussions with police officers that the major reasons given by juveniles for running away are peer pressure, bad grades and family problems.

We tend to underestimate the seriousness of the runaway problem, but we shouldn't. We never fully understand what they are running from, but all too often we can determine what they run to. They run to a "street life" full of exploitation where they may fall prey to drug abuse, prostitution, rape, pornography or murder.

Barbara Byers and Angelica Lavalee, both 14, ran away from Orlando and began hitchhiking in May, 1983. It was a spur of the moment decision; **neither were "typical runaways".** They were picked up by Alan Gore and Fred Waterfield, both of whom were subsequently arrested. Waterfield testified that Gore raped and killed the girls. He shot them in the head. They buried Barbara in an orange grove, and Angelica's body was dumped in an alligator infested lake. Both men were convicted. Gore was given the death penalty and Waterfield received a life sentence. A runaway never knows what the future holds.

The problem of parental kidnapping is one we in Florida are realizing is greater than previously believed. Children abducted by non-custodial parents may have an opportunity to live what appears to be a normal life, but they can be scarred by stories that the other parent died, doesn't love them anymore or doesn't want to see them.

Many times children are taken out of revenge, to be used as pawns or to be hurt. In some cases the abuse runs deeper. In November 1983, a New Jersey non-custodial father abducted his two

daughters, ages 3 and 9. He left a note at the mother's home that read: "I leave you as I found you, single and childless." Three months later police found the body of the youngest child floating in the Hudson River. Neither he nor the other child have been located.

There is a tendency not to take parental abductions seriously. Many times the reports are civil matters - cases law enforcement does not have jurisdiction over. But just as many times law enforcement may have authority to take action by virtue of certified custody papers, a pick-up order for the child and/or an active arrest warrant for an abducting parent.

In Hillsborough County, a man kidnapped his 4-year-old son in November 1983. The father had beaten his wife on many occasions. The entry in the Florida Crime Information Center (FCIC) on the child indicates foul play is suspected and that the father has mental problems. A court order was issued to have the father picked up under Florida's Baker Act, a law relating to mentally disturbed persons. The father is still at large and still has the boy.

The smallest number of missing children fall into the category of suspected foul play. Many times there are no witnesses and not enough information to determine if the children have been kidnapped by strangers, have run away, or have been abducted by non-custodial parents. Criminally abducted children may be taken by mentally disturbed individuals with no children, pedophiles or murderers.

Florida has been a national leader in enacting legislation regarding missing children. For example, S.937.021, F.S., requires law enforcement officers to enter a child, once reported missing by a parent or legal guardian, into the Florida Crime Information Center (FCIC). Everything entered into the FCIC is simultaneously entered into the National Crime Information Center (NCIC).

Law enforcement officials in Florida are required by S.937.031 F.S., to secure the dental records of a reported missing person (juvenile or adult) if the person has not been located within 30 days after the initial report.

Also under S.937.032, F.S., FDLE is required to submit to the Department of Education (DOE), a tape of all missing children entered in the Florida Crime Information Center. DOE distributes the list to all school districts in Florida. The school districts compare the list of missing children with the school district student rosters. If a possible match is located, they are required to notify the primary investigative agency.

IV. The role of the National Center and state programs.

The importance of the National Center and state programs working in unison with the National Center cannot be understated. However, we should keep in mind that individuals working at the state and local level of law enforcement are closest to the problem. they are the practitioners. They are sensitive to the concerns in state and local areas and can be the most responsive to the problems of missing children. Additionally, state clearinghouse programs are accountable to the local law enforcement agencies and the citizens of the state and are close enough to know and listen to their concerns.

It is important to note that publications of photographs of missing children have been one of the most effective means of getting the public involved in the search for missing children. To this effort, state clearinghouse programs can establish and maintain close working relationships with local news media (i.e. television stations, newspapers, etc.) to publicize these photographs.

Another vital mechanism for the sharing of information and the coordination of law enforcement efforts to locate missing children is the National Crime Information Center (NCIC). NCIC is the nationwide telecommunications network utilized by federal, state and local law enforcement agencies to communicate detailed information regarding missing persons. The file contains names, physical descriptions and circumstances regarding the disappearance of juveniles and adults. At this time there are approximately 52,355 missing persons in the national (NCIC) file, approximately 76% are juveniles. Missing persons are entered into the national file using one of the following categories: Disabled, Endangered, Involuntary, Juvenile and Catastrophe Victims. Every effort should be made to encourage all states' full utilization of this valuable resource.

I feel that the National Center should continue to play a vital role in assisting the states to address the problems of missing children. However, it is important that the states be allowed to set policy and maintain operational control of their own clearinghouses. Their relationship with the National Center should be to address issues of national importance and provide for exchange of information. The National Center should:

1. Operate a national clearinghouse for information pertaining to missing children;

2. Provide liaison among federal, state and local law enforcement as well as private organizations;

3. Immediately forward all information received on a missing child to the investigative agency handling the case;

4. Publish information regularly regarding ALL types of missing children;

5. Assist states in establishing standards to ensure consistency nationally;

6. Continue to develop educational and informational brochures to assist state and local agencies in informing citizens of methods to protect our children;

7. Work to implement abduction prevention programs in each state;

8. Provide more accurate statistics on the actual number of missing children;

9. Establish rapport with local law enforcement agencies throughout the nation. Acceptance by local enforcement agencies is vital to both the National Center as well as state clearinghouses; and

10. Work more closely with the various runaway shelters nationally. The problem of runaways is far more significant than we may believe.

Mr. Chairman, we have come a long way in our efforts to protect our children. The passage and implementation of H.R. 804 will ensure that we continue this effort. I urge this committee to be proactive in responding to one of the greatest national tragedies of the 80's, missing children. Let's not wait for an incident such as the death of Adam Walsh to occur in each state before we act to ensure uniform protection of America's children. Again, I urge your support in passing H.R. 804. I thank you for your time.

Mr. KILDEE. Thank you very much, Mr. Quincey.

Mr. Bidler.

Mr. BIDLER. Thank you, Chairman Kildee, Congressman Tauke, Congressmen Lewis and Owens.

Iowa appreciates the opportunity to testify on H.R. 604. We support Federal assistance for the establishment and expansion of State clearinghouses.

Iowa's clearinghouse is the most recent clearinghouse represented on your panel today. We have been in operation just 1 year. However, we have learned a lot in that short period of time, and we have found that State clearinghouses are significant in terms of addressing the issue of missing children.

Iowa, in its State law, mandates that reports of missing children be immediately entered into the National Crime Information Center and that law enforcement agencies open an active investigation on the disappearance of that missing child.

As all of you know, Iowa had two very tragic cases that made national headlines and still make national headlines, the Johnny Gosch case and the Eugene Martin case. Those cases had significant impact on Iowa's desire and efforts to move forward in establishing the State clearinghouse and moving toward a more proactive role in the identification and recovery of missing children.

The Iowa clearinghouse has one significant difference from most of the other clearinghouses in the United States, and I think it is a difference that is very important. The Iowa clearinghouse is a missing persons clearinghouse rather than just a missing children's clearinghouse. Iowa moved in this direction for a number of reasons. However, the two primary reasons are that the parents of missing children whose children become emancipated still have the same concerns for those children as they had prior to that emancipation, and the fact that the tragedy of missing adults is as severe for the family members as the tragedy of missing children. Therefore, we deal with both missing adults and missing children in our clearinghouse.

While I recognize that H.R. 604 provides funding specifically for addressing the issue of missing children, I would hope that support would also be provided for the establishment and efforts at the State level in the area of missing adults.

The Iowa clearinghouse covers most of the same functions that the Florida and the Illinois clearinghouses provide. We have a 24-hour-a-day hot line for reporting of information concerning missing children. We also, as the other States do, report those leads directly back to the law enforcement agency who has the primary jurisdiction for the investigation of that case.

We do not conduct investigations out of the missing persons clearinghouse, even though the Iowa clearinghouse is in the Department of Public Safety and we are a law enforcement agency and we do investigate these cases. However, the primary investigation agency is the local law enforcement agency, and we assist those local law enforcement agencies in the investigation of these cases.

One of the primary goals that we attempt to accomplish is the training of local law enforcement agencies, both in how to investigate a missing child's case, but also in how to get information en-

tered into the National Crime Information Center and to provide quality control on those entries so that we can assure ourselves that the local agency is entering all of the information that is available about that child that would help in the recovery, and that they properly follow up in getting those entered and in making sure that the entries are, in fact, proper and that every possible bit of information that can be entered is entered into that system.

I support what Florida said about the fact that the National Crime Information Center is absolutely essential in terms of its missing child file, its missing persons file. In fact, it is a missing persons file and not a missing child file. I think that the National Crime Information Center, not the National Center on Missing Persons, should develop a national intelligence center for missing and exploited children. I think we need more national intelligence in terms of individuals who exploit children in the areas of child pornography and those types of areas. I see a need in that area that does not appear to be adequately addressed at this point in time.

The problem of exchange of intelligence information between the States is a problem that is severe, is a problem that is strictly controlled by many States, and it is a problem that only can be addressed through an organization like the Federal Bureau of Investigation and the National Crime Information Center.

I would recommend, among other things, that the legislation require the Department of Justice to establish an intelligence network on child molestors, child pornography, and people suspected of child abuse.

We started collecting data on missing children in Iowa in March 1985, and from March 1985 through August 1986, Iowa had 10,950 children reported missing. Of those 10,950 reported missing, 274 were classified as endangered; 324 were classified as involuntary; and 55 were classified as parental abductions. The balance were runaways or juvenile cases.

These juvenile cases are very important, but it points out, I think, that there has been a lot of misinformation given out about the nature of the problem and the fact that many, many children are being abducted by strangers. Our statistics do not bear out the fact that the problem is as severe in that area as it is severe, in fact, that children are running away from home, and they are running away from home for many reasons.

One of the problems that we have is when we locate a child who has run away from home, the law enforcement response in many cases is to return the child to that same home, without some determination as to why the child left that home and what intervention needs to be made in order to provide a safe environment in that home for the child and to help assure that the child, in fact, has a safe environment which to return to.

Another statistic that we found in operating the Iowa clearinghouse is that many, many children that are reported missing are reported missing numerous times. Of the 10,950 reported missing children in Iowa in the last year and a half, we found that 236 of those children had been reported five times or more; 538 of them had been reported three times or more; 30 youngsters had been reported missing more than 10 times, and we had one young boy who

had been reported missing 26 times in the last year and a half. This young boy is, in fact, in the social service system. Obviously that system is not serving the needs of that particular young individual.

In terms of specific comments on H.R. 604, we have a couple of primary concerns. One of the concerns is that we feel that there must be support not only for the National Center for Missing and Exploited Children, but also for a national intelligence gathering network of some sort, and the National Center, as John testified to earlier, cannot and will not serve that role. The National Center is not a law enforcement agency, and most State laws and, in fact, Federal law prohibits States from giving that information to a noncriminal justice agency. Therefore, we would encourage that you address that issue in your legislation.

We also feel that the level of funding provided in the bill is not really adequate to address the issue of State clearinghouses. Two million dollars per year obviously is not going to do a great deal when you recognize the fact that Illinois has just testified that they spend over $5 million in that State alone.

The Iowa clearinghouse is funded at a level of about $110,000 per year, and we have three staff members. So we are about actually in the top level of clearinghouses, in the top 15 percent, in terms of level of funding and number of staff members involved in that clearinghouse. We have many mandates that three staff members clearly cannot carry out.

We are required by our State law to provide training to law enforcement agencies in both the investigation of cases and in the procedures for entering children into the National Crime Information Center. We do that, but we do not do it adequately.

We are required to work with and cooperate with private, voluntary organizations. Again, we do that, but with three staff members, we cannot do that adequately.

We are required to provide training to the private and State educational agencies in terms of how to educate parents in prevention of abductions, how to educate children in areas of the hazards of running away, things they can do to help resolve those situations that lead them to running away. Obviously, with three staff members we cannot do that either.

The area of training, the area of assistance to those children once they have run away are areas that we, at the funding level that the State of Iowa can afford, cannot address very well. We feel that the problem of missing children is a national problem. Most of the children that are missing from the State of Iowa are recovered in other States. Many of the children that are recovered in Iowa are missing from other States. It takes more than just a State effort to resolve this problem. It clearly is a national problem.

It needs a national commitment. It needs national funding. It needs support from the national level to encourage those States who do not have clearinghouses to establish clearinghouses. It needs support from the national level to address the issue of what do you do with that child who has run away once you recover him. How do you determine what problems led that child to run away and how to address those problems so that the child can return to a safe environment?

Again, let me say that we support H.R. 604. We think it is a good start. We think it needs more support than is there, but we congratulate Congressman Lewis in the sponsoring of this legislation and the committee for holding these hearings.

I would be happy to answer any questions. Thank you.

[Prepared statement of Carroll L. Bidler follows:]

Prepared Statement of Carroll L. Bidler, Director, Division of Administrative Services, Iowa Department of Public Safety

Chairman Kildee, Members of the Sub-Committee:

On behalf of the State of Iowa, I am pleased to be given the opportunity to present testimony on H.R. 604, a Bill to authorize Federal assistance to establish or expand state clearinghouses to locate missing children. Let me state at the onset we support federal assistance to state clearinghouses to assist in the location of missing children.

Under the leadership of Governor Terry E. Branstad, Iowa began a program of strengthening its child protection laws as early as 1983 by establishing a child abuse prevention program and making criminal history records available on child care personnel. Iowa was one of the first states to pass legislation requiring that all missing children be entered into NCIC and to require that an immediate active investigation be commenced on all missing children cases. We also require the information on missing persons be immediately broadcast to all officers on duty for the agency receiving the report and distributed statewide on the I.O.W.A. Criminal Justice Information System.

Iowa Missing Person Information Clearinghouse

Effective July 1985, a Missing Person Information Clearinghouse (MPIC) was established in the Administrative Services Division of the Iowa Department of Public Safety. Iowa's Clearinghouse was established as a Missing Person Information Clearinghouse rather than a Missing Children's Information Clearinghouse because of our conviction that the problem of missing children does not cease to exist because a child reaches the age of maturity and our desire to help citizens with missing family members of any age. Iowa has defined a missing person to be a person that meets one of the following characteristics:

1. Is physically or mentally disabled.
2. Was, or is, in the company of another person under circumstances indicating that the missing person's safety may be in danger.
3. Is missing under circumstances indicating that the disappearance was not voluntary.
4. Is an unemancipated minor.

For purposes of this definition "unemancipated minor" means a minor who has not married and who resides with a parent or other legal guardian.

The functions of a missing person clearinghouse are varied. A description of the services provided in Iowa are detailed below.

The MPIC provides a program for compiling, coordinating and disseminating information with the aim of helping to locate missing persons through public awareness and cooperation, and for educating law enforcement officers and the general public about the missing persons problem.

The Department of Public Safety maintains a toll free telephone line available twenty-four hours a day, seven days a week, to collect and disseminate information concerning missing persons in Iowa. Initial reports of missing persons are handled by the enforcement agency of jurisdiction, however subsequent to the filing of a missing person report, information may be submitted directly to the MPIC. Any information received by the MPIC is forwarded to the enforcement agency with jurisdiction. In addition, a monthly bulletin is published containing the names, photos, descriptions and other related information to those persons' disappearances. The bulletin is sent to law enforcement agencies, the media, school districts youth shelters, and other individuals and agencies which request missing person information. Weekly public service announcements are distributed to update bulletin information. Contacts are available at local TV and radio stations for rapid dissemination of information as needed.

The department is responsible for a registry of approved prevention and education programs and materials regarding missing and runaway children, and is the coordinator of both public and private programs regarding missing persons. Additionally, the department coordinates training programs for law enforcement personnel and the general public regarding missing persons. Training for law enforcement includes missing person reporting, legal procedures and the tracking of missing person and unidentified bodies. Training for the public includes information to assist parents in the avoidance of child kidnapping, safety skills for children and runaway prevention material for older youth.

Various methods are utilized to inform the public about the clearinghouse. These include media contacts, such as TV appearances, radio interviews and newspaper and press releases. The clearinghouse staff presents talks to schools and public and private groups concerning the missing person issue upon request. We also participate in shopping mall and fair promotions as well as seminars that are concerned with child safety. Written information is available for public distribution during such events. These materials include the monthly bulletin, weekly news release, Crime Dog Child Safety Brochure, a Crime Dog McGruff Coloring Book which focuses on child safety, and information pertaining to runaways and shelters.

The clearinghouse provides case by case assistance to local law enforcement agencies upon request. The staff also researches laws and policies for law enforcement agencies and individuals relating to missing persons. This information is provided to law enforcement agencies for their use in working with missing children. It has been found that many agencies do not have the manpower or time to research various states' statutes and need a central resource where such information is available which can help in the recovery of a child.

Unfortunately, our experience has shown that even when a child is located, he/she may not be returned to the parent given original custody. Each party in a parental abduction case may have a custody order from their state of residence. The return of a child under these circumstances is often frustrated by these conflicting orders. Due to interstate jurisdictional problems, we feel a federal method for resolution of these types of conflicts must be established.

Other services include provision of training to terminal operators on the correct procedures in entering, modifying and cancelling missing persons from the NCIC/IOWA systems. The quality control of records has helped agencies to enter the most complete information possible concerning a missing individual and helps to keep system data current.

Interstate Cooperative Efforts

Congress should be aware that while state clearinghouses are willing to work to the extent possible with the National Center there is certain information to which they cannot have access. The states and the federal government have established standards for agencies receiving certain types of information and the National Center does not fall within those standards. It is not a law enforcement or criminal justice agency and cannot receive information whose use is restricted to such agencies. I am speaking primarily of criminal history record information and investigative data which would be used by a law enforcement agency in working a case.

The State of Iowa joined I-SEARCH, Interstate Enforcement Agencies to Recover Children in August of 1985. I-SEARCH has served to fill a void inherent with the creation of the National Center. I-SEARCH provides for the exchange of law enforcement data between police agencies and for joint enforcement efforts in participating states. Individuals who abduct children are highly mobile. It is not uncommon for missing children, whether they be runaways, parental abductions or stranger abductions, to be located in another state than the one from which they are missing.

The states need resources to continue this vital link and enhance its operation. State clearinghouses need further interaction to develop new methods of locating missing persons and to investigate cases of exploitation. In addition, training which will enhance our ability to provide for the training needs of local law enforcement agency personnel is a priority. A copy of the interstate agreement has been attached for your information.

Due to the poor economic climate in the state of Iowa, an increase in the state appropriation for clearinghouse functions is not likely. Increasing the scope of our operations does not appear to be feasible without additional monies from outside sources.

Information Systems

NCIC access in Iowa is provided for by the Department of Public Safety and is administered in the Division of Administrative Services of which the clearinghouse is a part. The system includes instate and out-of-state telecommunications, e.g. NLETS, a state data base of missing persons and access to other state data bases such as Driver License, Motor Vehicle Registrations, and CCH/III Criminal History Data Bases.

Quality control is conducted on all missing persons entered into NCIC from the state of Iowa. Statistics are maintained on the total number of reported missing persons from the state. During the period of March 1985 through August 1986 the Iowa Clearinghouse received reports of over 10,950 missing children, of which only 324 were classified as involuntary, 274 as endangered and 55 as parental abductions. The nature and scope of the missing person problem has been in question for several years. These statistics would indicate that clearly many more children leave home of their own accord than are abducted.

We have modified our state law enforcement computer which connects to the NCIC so we can capture important missing person data. By doing so, we have been better able to document and define the nature of the missing person problem in our state. All missing persons cases (including adults) are currently maintained in the state missing person data base and NCIC. The data base contains information electronically entered by law enforcement agency personnel via computer terminal. This data can be sorted in numerous ways. In addition, a missing person log is generated from ICWA System transactions (entries, modifications, locates, cancellations). This log is a cumulative file containing all missing juvenile transactions since March, 1985. Information contained in the log includes all information entered for NCIC. Therefore, computer programs can be written to produce statistical analyses in any desired combinations of the following:

1. name
2. type of case
3. repetitive behavior (including total number of cases and total number of different people involved; repetitive behavior of any specific person)
4. geographical area
5. race
6. sex
7. age (average ages)
8. length of time individual is missing and average lengths

In addition any case cancelled from NCIC by an Iowa originator must contain a Missing Person Status (MPS) Code which indicates the status of the missing person when the record was cancelled. As a result, data is also available on the basic circumstances surrounding cancellation of a missing person record. These codes are:

MPS/E - ERROR IN RECORD
MPS/U - UNFOUNDED REPORT
MPS/T - TRANSFER OF STATUS (CHANGE OF INCIDENT TYPE)
MPS/Z - TEST ENTRY CANCELLATION
MPS/H - HOMICIDE VICTIM
MPS/D - OTHER DECEASED
MPS/A - REPORTING AGENCY/PERSON WITHDREW AUTHORIZATION FOR REPORT
MPS/C - ARRESTED CRIMINAL CHARGES
MPS/P - PICKED UP AND RETURNED (NO CRIMINAL CHARGES)
MPS/R - REPORTING PERSON NO LONGER AVAILABLE TO VALIDATE RECORD
MPS/V - VOLUNTARILY RETURNED
MPS/W - WHEREABOUTS DETERMINED, PERSON NOT RETURNED

Examples of the types of information we have available include: a chronic runaway's history from the first incident to the last; all repetitive incidents of running away listed in numerical order, or the average number of such incidents; or the runaway data of a specific geographical area. The combinations and applications are numerous, and can be tailored to any specific or suspected problem. We have determined for instance, that there are 236 children who have been reported missing five times or more in Iowa. There are another 538 who have been reported three times or more. Of these 30 youngsters have been entered into NCIC ten times or more, with one boy running 26 times in approximately one year. It is obvious that these types of cases help create the unrealistic statistics utilized by many groups, for each child is usually counted not once, but the number of times he or she is reported as missing.

Comments on H.R. 604

Several provisions of H.R. 604 leave some cause for concern. These concerns are:

1. H.R. 604 limits itself to support of missing children information clearinghouses. We would hope that the language would be written in such a way that it would not preclude assistance to clearinghouses which also handle cases involving other missing persons. At last count there were 226 persons reported missing in the Iowa Missing Person Information Clearinghouse. Of these individuals 175 were juveniles and 51 were adults. These figures have remained fairly constant during the first year of operation of the Iowa Clearinghouse. Each week between 150 and 200 individuals are reported missing and approximately the same number are located. A summary of current missing person reports by length of disappearance and incident type is attached.

2. Section 421 establishes the guidelines for grant applications and the specific requirements for the operation of missing children information clearinghouses funded under the Act.

   a. Subsection (1) (B) provides for the clearinghouse to educate parents, children and community agencies and organizations in ways to prevent the abduction and exploitation of children. This section should be expanded to include the education of children in the hazards of running away and the alternatives available to them. The vast majority of missing children have run away from home rather than been abducted. There is no argument that a child who has run away from home is highly susceptible to exploitation especially if he has no place to go and is living on the streets. Young people should be informed of these hazards.

   b. Subsection (1) (F) provides that the clearinghouse should cooperate with and act as a liaison for other public and private organizations to locate missing children. While we agree that this is a definite function of any clearinghouse, we feel there are current resources which cannot be fully utilized in locating a missing person of which you should be made aware. For example, the Federal Parent Locator System has been established to assist in location of parents who failed to meet commitments for court ordered support payments to their children. This system has been expanded to allow for the tracing of parents who have abducted their children in violation to a legal custody order. The Federal Parent Locator System has been very successful in finding parents in these situations. Access to the system should be made available for the tracking of all missing persons.

3. Section 421, Subsection (5) identifies the "Department of Justice's National Clearinghouse for Missing and Exploited Children", while Section 423, Subsection (1) (G) identifies the "National Center for Missing and Exploited Children". Presumably these are both the same organization. The Department of Justice does not operate a national clearinghouse, but it does fund the National Center for Missing and Exploited Children under Section 404 of the Missing Children's Assistance Act.

4. Section 405 authorizes an appropriation of 2 million dollars per year for two years to fund grants authorized under the Act. This level of funding is not adequate to address the problem. Spread equally over the fifty states and the territories of the United States, this would amount to less than 40 thousand dollars per state. In small states where the population base is a very small percentage of the total United States population, the allocation would, in all probability, be less than that. We would recommend that there be a minimum allocation available to each state applying for a grant and that the minimum be not less than fifty thousand dollars. Further, we would recommend that additional funds be available based on demonstrated need and/or a competitive basis for innovative programs. Authorization for grants under the program should be expanded for a minimum of five years.

Missing persons are an ongoing problem that requires an ongoing commitment. This commitment should be recognized by the Congress and dealt with head-on. It will take a coordinated, comprehensive and proactive approach to resolve the problems relating to missing persons and exploited children. Expanded interaction between the states is vital to success, as is the involvement of state and local law enforcement agencies. Federal support promoting such activities is imperative.

Again, I wish to express my appreciation for the opportunity to present testimony on H.R. 604. I would be happy to answer any questions that the Committee may have.

CARROLL L. BIDLER, Director
Division of Administrative Services
Iowa Department of Public Safety

Interstate Agreement on Missing and Exploited Children

Whereas, *the states of Illinois, Indiana, Iowa, Kentucky, Missouri and Wisconsin agree that the problem of missing and exploited children is a growing concern to the citizens of each respective state; and*

Whereas, *many missing children are potentially at risk; and*

Whereas, *public efforts to prevent the devastation suffered by a family and community when a child is missing or exploited can be enhanced through public awareness, prevention and educational programs, and aggressive investigative and recovery techniques; and*

Whereas, *the development of an interstate network will aid in the improved safety and in the identification and recovery of missing children; and*

Whereas, *the creation of such a network requires an unprecedented level of communication and sharing of resources among participating states.*

Therefore, Be It Resolved, *that an I-SEARCH (Inter-State Enforcement Agencies to Recover CHildren) Advisory Council be established to include a representative of each participating state and that this Council meet regularly to discuss potential cooperative efforts among the states to develop a coordinated program in the location of missing children. Among the Council's goals shall be:*

- *Better coordination among appropriate state enforcement agencies in establishing an interstate approach to solving the problem of missing children.*
- *Development of an I-SEARCH network pertaining to the collection and sharing of data concerning missing and exploited children, possible use of a standardized child identification format, development of a criminal intelligence system, and research and analysis to identify trends and patterns of child victimization.*
- *Exploration of the feasibility of participating states' participation in a regional "Missing Children Bulletin" and hotline, a regional alert system, and cooperative law enforcement training and investigation.*
- *Development of a model structure for the state approach to the problems of missing and exploited children including standards for law enforcement response to missing and exploited children cases.*
- *An examination of improved methods for the return of missing children, extradition of offenders, standardized child safety educational programs, and the integration of public and private sector resources to further the identification and recovery of missing and exploited children.*

Adopted this 29th day of August, 1985 in Chicago, Illinois.

James R. Thompson Governor, State of Illinois	Martha Layne Collins Governor, State of Kentucky
Robert D. Orr Governor, State of Indiana	John Ashcroft Governor, State of Missouri
Terry E. Branstad Governor, State of Iowa	Anthony S. Earl Governor, State of Wisconsin

IOWA MISSING PERSONS BY INCIDENT TYPE AND LENGTH OF DISAPPEARANCE
September 5, 1986

	Disability		Endangered		Involuntary		Catastrophe	
	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile
Missing less than one month	8	0	3	0	1	0	0	0
Missing 1 - 6 months	4	0	3	0	2	0	0	0
Missing 7 - 12 months	1	0	0	0	2	1	0	0
Missing greater than 12 months	6	0	8	0	13	3	0	0
Totals	19	0	14	0	18	4	0	0

	Juvenile	Parental Kidnap	Lost/Wandered
Missing less than one month	92	1	0
Missing 1 - 6 months	71	1	0
Missing 7 - 12 months	7	4	0
Missing greater than 12 months	5	0	0
	165	6	0

55

TOTAL 226

Mr. KILDEE. Thank you very much, Mr. Bidler.

Before we begin the questions, I would like to call the attention of the committee and the people present here today to the presence of H.R. Wilkinson of the National Child Safety Council, along with his wife, in the back row.

Thank you very much for being here and for your continued interest.

A few questions of myself. Mr. Patterson, in May of this year the National Center for Missing and Exploited Children received a $555,000 grant to provide technical assistance to State clearinghouses. What kind of assistance are you giving to those existing State clearinghouses with that grant?

Mr. PATTERSON. Yes, Mr. Chairman. The amount of that was actually $550,000, and $20,000 of that is being used for the operation of the State clearinghouse liaison group. This is a group of six States that includes Florida and Illinois, two of the States that are represented here today, as well as Arkansas, New Jersey—I am trying to remember the other States just off the top of my head—but, anyway, we have got six States that are serving as a liaison group to advise the National Center, to be sure that what we are doing in regards to State clearinghouses is practical and has some reality base, and we are drawing heavily upon the expertise in the six State clearinghouses that we have.

We are providing or the remainder of the money is being passed through to the State clearinghouses through contracts. We developed a request for proposals that was submitted early in July to all of the clearinghouses for their review and comment. The final was released August 1, and we had 18 applications totaling somewhere around $320,000, all of which we found to be responsive to the RFP, and those contracts have been awarded.

In addition, we are working with the American Association for Retired Persons to establish a volunteer program. This is an organization that has a long history of working with law enforcement agencies in developing senior citizen volunteer programs.

One of the things is we have looked at the operations of State clearinghouses, and we see that the staff level of professional staff is about three people. We feel that senior citizen volunteers can greatly augment that and expand personal resources that are available.

So through the people at AARP and their criminal justice programs, we are working to develop some program models that will develop that.

In addition to that, we are providing and will be initiating technical assistance to all State clearinghouses. One of the things that I am concerned about is the fact that we did not receive applications from State clearinghouses may indicate that they are at a level where they are not really ready to receive assistance or be able to apply for it, and so we will be proactive in going out to see what the situations are as far as those States that we have not heard from, determine what their needs may be, and then try to be responsive to them.

Mr. KILDEE. In discussing Mr. Lewis's bill, there are several scenarios to consider. Under the act, there are currently appropriated, $4 million. Now, Mr. Lewis's bill would authorize an additional $2

million. The Appropriations Committee could appropriate zero up to that amount.

What would you do if you were still bound by that $4 million budget you have now and this act also were enacted? That is question No. 1.

And what would you do if you had the authorization contained in Mr. Lewis's bill, plus an equal amount of appropriations?

Mr. PATTERSON. I think almost in either situation, Mr. Chairman, it kind of puts us in the situation of the junkyard dogs fighting over a bone. The fact of the matter is that they have a lot of legitimate needs dealing with missing and exploited children, and I think that we really have to depend upon whatever congressional wisdom there may be in trying to address those needs.

Mr. KILDEE. Courage and wisdom it takes.

Mr. PATTERSON. You are certainly right there, Mr. Chairman, but you know, I have no particular insight, and I do not think the people at the center have any particular insight on how you can actually take the three loaves and the fish and feed the multitudes, and that, I think, is one of the situations that you are confronted with.

I think one of the things that may be necessary is to take a look and see what kind of better coordination we can effect in all of the areas. For example, the area of education is something that we at the center have been very interested in. That is certainly not a juvenile justice or criminal justice problem, and it may be appropriate to talk to the folks over at the Education Department, about seeing how they may be able to be tied into the missing children issue in that area; talk to the people at Health and Human Services about how we might be able to do a better job in the runaway program.

So whatever funds are available under the Missing Children's Assistance Act, I think you may have to use those funds to leverage other resources to be able to adequately deal with it.

Mr. KILDEE. I will address this to Mr. Ferguson first, but others may join in the answer.

I Search is within the Illinois State Police Department?

Mr. FERGUSON. That is correct.

Mr. KILDEE. You apparently interface and cooperate with your Department of Social Services and Department of Mental Health and other agencies within the State. How do you bring about that close cooperation? Is that through leadership within I Search or the Governor's office?

Having served in State government for 12 years, I know that does not always take place. How do you do that in Illinois?

Mr. FERGUSON. The bureaucracy is large in Illinois, as well. I understand your point.

Essentially we work with both the Department of Child and Family Services, the social agency over children in our State, and the Department of Mental Health, and my staff goes over there and gets it done, and the State Board of Education. They are all really defined in one direction: the interest of children.

Those programs that are logical and serve that end, we have had no problem with the bureaucracy at all. We work together; we train together. The DCFS, Child and Family Services, cases, when

they become criminal or criminal allegations, are reported to us. We share computer systems.

It is funny, but I have a theory about government, that people tell us what they want, and we try to deliver it in the best of our circumstances. We, as government bureaucrats, do not tell people what they should have, and it seems to work.

Mr. KILDEE. Within that situation, once a child becomes a missing child in Illinois, then is I Search and the State Police Department the lead agency while working with the other agencies?

Mr. FERGUSON. Not necessarily. A local police department would generally get a report first on a missing child or the State police in one of the districts. We have 90 communities or so that participate in the I Search network.

I Search, if it is an investigating body, would take that case in a local community that we funded. If it comes direct into the State police, we investigate the case. If a local law enforcement jurisdiction calls us and says, "I need help," we help them. We provide all of the assistance we can.

It comes in various ways, but generally it is done by either a local police department with our help or by a local I Search unit, with us to assist them if needed.

Mr. KILDEE. Mr. Quincey or Mr. Bidler, do you care to respond to that?

Mr. BIDLER. Yes; I would respond to it.

We work with the other agencies, very similar to what I Search does, more persuasion than anything else. We are required to work with the Department of Education in trying to develop programs for the education of children and parents. We deal with the social service agencies when a child is recovered.

We have another program that we operate in the department that deals really directly with this system, and I think it is something that other States probably do and has not been discussed today, and that is the victim compensation or victim reparation program that most States have. We operate the Iowa victim reparation program out of the Department of Public Safety also, and we work very closely with the State Department of Human Services, which handles the child and family services programs, in terms of dealing with children who have been abused in the homes or sexually abused, and provide for counseling for those children through that compensation program.

Another thing that I did not mention earlier, and Alex just touched upon, is that we are one of the six States, and now seven States as of yesterday, that participate in the interstate I Search agreement. Ohio joined the other six States yesterday. We had a meeting in Madison, WI, and we find that that interstate network has been very helpful to us and all of the States and probably will work toward expanding those interstate cooperative agreements.

Mr. KILDEE. Mr. Quincey.

Mr. QUINCEY. Yes; thank you.

I would agree strongly with Alex's comments. We have found that in the early stages of developing the clearinghouse in Florida that if you do not deal with your social services agencies, you are missing a tremendous amount of information. Particularly with the runaway situation, we have found that working very closely with

the runaway centers in Florida, and there are 13 of them; we have found so many times that children are running from an abusive home, not so much any more running to beaches or running to Disney or running to other areas of Florida, but they are running from abusive homes, and if you do not deal with your social services agencies, you are missing out on a tremendous amount of information.

Likewise, I think they saw us as being an agency that they could refer to in helping find children who run away from the centers. So I think Alex's comments were very well spoken, and we would agree very strongly with that.

Mr. KILDEE. I am always hesitant to say this, but 22 years in Government and 10 years in teaching, maybe more when I was in teaching, you do see some families so disabled that sometimes maybe the best decision that child has made is to get out. I am always hesitant to say that because I believe so strongly in the family unit, but sometimes families are so disabled and need so much remedial help that it is an act of self-defense for the child to leave.

Mr. FERGUSON. That is why the necessity of a psychological services program, of working with the department of child and family services or its equivalent in other States. I, for example, could give you a case that we worked on 6 or 7 months ago. An 11-year-old child was reported as abducted from a northern Illinois rural area, and we got an eyewitness account of the abduction. The two males who abducted her were described to a tee; the car was described. The route that the car took from this rural town was described to us.

Four hours later, we found her hiding under the bed. Now, this abduction account, delivered to us by her brother. During the evening, and by then it was about 3 o'clock in the morning, we called child and family services in our State. We found out a little bit about the dynamics of the family.

Our psychologist and our agents were on the scene, went into the family home, and we found an extremely negligent, abusive, and incestuous home.

Now, traditional law enforcement of yesterday would have found the child. "Thank God she is all right. Let's go." We cannot go with that because that child is a future victimizer, as we see it, and our psychological services—and frankly, on the scene the bureaucracy got a little heavy for everybody between child and family services and the State police, but at 3 o'clock in the morning, I am getting the assistant director of DCFS out of bed, and we talk about it, and you absolutely agree that in the interest of that child, that child and her siblings have to be placed somewhere else.

So now I look at this abduction account by the brother, and I say, What was he doing? Was he wanting to file a false police report? Was he wanting to nail the policemen in the area by telling them lies? Was he calling for help?

I do not know the answer to that yet, but clearly, our psychologist on the scene said that brother, unless we intercede, social service or police psychologist, will be in jail. He will be a victimizer of the future.

Mr. KILDEE. Mr. Tauke.

Mr. TAUKE. Thank you, Mr. Chairman.

I think all of you have had the opportunity to review H.R. 604, including the standards that each State clearinghouse would have to meet in order to be able to receive assistance from the Federal level.

Mr. Patterson, you indicated that a poor State clearinghouse is worse than no clearinghouse at all, and, Mr. Ferguson, you gave us a very lengthy list or comprehensive list of things that a State clearinghouse should do and said that clearinghouses must be comprehensive, which leads us to question: How do we strike that balance where we, on the one hand, make the program realistic so the States that need it the most can participate; and on the other hand, insure that the clearinghouses are good, comprehensive, and do those things they ought to do?

As you have looked at the language that is in H.R. 604 on the requirements for State clearinghouses in order to receive money, do you think that it is headed in the right direction, or do you have suggestions for change in that language or those requirements?

Mr. PATTERSON. Mr. Chairman and Mr. Tauke, in terms of specific requirements for State clearinghouses, I think that it would be almost impossible to pattern any of the other State clearinghouses after the program in Illinois. Illinois has got to be the Cadillac of State clearinghouse programs, and you know, a lot of States are in the position where they have got rollerskates, and maybe what they need is a Ford.

I would think that what we need to do is perhaps, as a minimum, look at the 10 functions which most of the States or at least the States that already have clearinghouses address in some form or other in their legislation.

I think that there are a couple of areas. One, while we strongly suggest that State clearinghouses be a law enforcement agency, there are some States that have put them in other agencies and have had some good success. I am not sure how that might play into eligibility for Federal funding if it were not in a law enforcement agency. Ohio has been put in the education department by statute.

Mr. TAUKE. Well, let me be a little more specific, if I may. We just heard a rather compelling case made for the psychological services aspect, which I do not think in H.R. 604 is one of the requirements, but in H.R. 604 there is an education requirement, that the agency be involved in the education of parents, children, and community agencies.

Is the psychological counseling more important, for example, than the education component? Should both of them be included? Should neither one be included? Are we missing the boat by not requiring psychological counseling?

Mr. PATTERSON. I believe that certainly they are both desirable. One way that that can be addressed without putting the requirements on the State clearinghouse to provide those services and possibly duplicate services that would otherwise be available in the State perhaps through the community mental health programs, would be to provide for an advisory group to the clearinghouse, which is something that we recommend. We think that it is important that the clearinghouses not exist in a vacuum strictly with

law enforcement people, but that there be input by private, voluntary organizations, by mental health professionals, by educators, by social services workers, so that you can provide a forum for the State to develop a systematized response and use whatever resources may be available in that State to deal with the problem.

It may be a mistake to try to create parallel services just for missing children when those services may be available in communities.

Mr. FERGUSON. I would not draw a major difference between education and psychologists. I think they are equally important. The psychologist is extremely important with the cases of specific children. With education it is very important when the case is a general body of people.

Mr. TAUKE. Well, I appreciate that, but put yourself in our position. You are telling us both are important, which obviously we agree with, and we can think of 25 other requirements for each of the other agencies that are all critically important and should be there. But the problem that we have is: what is the minimum you can do to insure you have a decent program and do not exclude all of these States because they do not have the resources to do all of the things we are saying they have to do in order to get in, yet at the same time make sure that we are funding good agencies?

I recognize it is a tough question. I think it is probably the critical one for this legislation, and perhaps I could ask each of you to give a little thought to it and submit in writing, if you have an opportunity, a response to it unless you have additional thoughts now.

Mr. FERGUSON. My only thought is that I have to say equally important because we have a 7-year-old child who is thrown into a car and abducted while her friend was, too. The friend was killed, and the 7-year-old child asked our psychologist, "Why did my friend have to die and not I?" That we can only serve through psychology.

We have two children, 7- and 5-year-old boys, who said, "No, stranger. I'm not going to get in the car with you," because someone, parent or friend, said, "Don't get into a car with a stranger," and they run home and the local policeman comes through and arrests the guy who has a long history of sex offenses.

Education helped save the life of two children. Psychological services helped in helping this child live day to day.

Mr. BIDLER. Can I speak to that question?

Mr. KILDEE. Yes, Mr. Bidler.

Mr. BIDLER. Thank you.

I would encourage you not to put such prohibitive burdens in the State clearinghouses so that they cannot comply with all of the requirements that you are asking for. The requirements that are currently in H.R. 604 are minimal requirements, I would agree. However, if you put a requirement, for instance, that psychological counseling be provided as a part of the clearinghouse, I think that most States will not be able to comply with that because of the cost and because of the level of funding that is provided, and it is going to be self-defeating.

The psychological services, I think, can be provided through other organizations that currently exist, that while it would be nice to have it in the clearinghouse, I think it is available or can be

made available through other areas, and I would hate to see you tie the clearinghouse to things that, since you are putting this in a law enforcement agency, a criminal justice agency, to try not to put the psychological services, the social services in the law enforcement agency. Let's try to maintain that dichotomy as much as possible and still encourage the cooperation and the working with those other agencies that are available rather than duplicating them.

Mr. TAUKE. In response to a question from the chairman, Mr. Patterson, you indicated that 18 applications were received for $320,000 of funds from the National Center for Missing and Exploited Children. Do any of the three of you receive funds? Are you one of the 18?

Mr. PATTERSON. All three of these have submitted applications and received funds.

Mr. TAUKE. OK.

Mr. FERGUSON. I was shaking my head no. Apparently my deputy superintendent says yes.

Mr. TAUKE. Well, let me ask you what you are doing with the money?

Mr. PATTERSON. Let me clarify for the record. As I indicated, the time line on the contract awards, the RFP was released August 1. Responses were back August 18, and the awards were just sent out last week.

Mr. TAUKE. Perhaps, Mr. Patterson, rather than have me drag it out of them and they might not know yet, why don't you give us a brief listing of what States are getting and how much and for what they plan to use the money?

Mr. PATTERSON. OK. The 18 States that have received awards are Colorado——

Mr. TAUKE. I'm not suggesting right now. Why don't we do that for the record?

Mr. PATTERSON. OK. We can do that. In general though most of them came in for some kinds of computer equipment, possibly part-time personnel support, and for travel, funds for training and technical assistance.

Mr. TAUKE. How would you see those moneys used differently than the moneys we are talking about in this bill?

Mr. PATTERSON. Well, the whole purpose of the program that we have got now with OJJDP was to initiate stronger interstate networking, feeling that the States have a responsibility. The philosophy that we used as we entered the program was that States were providing the funding and support for their own State operations. What was necessary was to develop the support for the networking of the State clearinghouses on the national level to encourage the exchange of information and services between State clearinghouses.

So what I would see the difference being is the funds which are in H.R. 604 would support base operations for the clearinghouses; whereas the funds that we currently have in the program are being used to encourage communications and exchange of information between States.

Mr. TAUKE. I noticed both the chairman and I were making notes, Mr. Bidler, as you were talking about the national intelli-

gence center network. Do any of the other panelists have any observations about the need for or desirability of having a national intelligence center?

Mr. QUINCEY. Mr. Chairman, we do. The State of Florida recently received about $600,000 to provide intelligence and investigative support of local law enforcement agencies. As Mr. Bidler stated, I think that is very vital in any State, to become more aware so that agencies can exchange information in regards to people who exploit children.

In Florida in the past, we have had a Florida Intelligence Center that has been primarily used for criminal activity, but we have recognized the need to expand that, and likewise we received almost $600,000 for that purpose.

Whether or not that could be done at a national level I think would be a tremendous undertaking, but I think you would have something that certainly could be of benefit to any local law enforcement agency attempting to investigate a sexually exploited child. I think it is very much needed. How it could be done and under whose auspices it would be would be, I think, a question that there would be a lot of controversy over.

But I think it is needed.

Mr. TAUKE. Mr. Ferguson.

Mr. FERGUSON. We agree and have a statewide system which essentially is a sharing of intelligence information across local police departments, as well as our own. We have also approached an organization called MOCIC, Midwest Organized Crime Information Center, that has essentially or is essentially an investigative system. We approached them about a national kind of system.

We, of course, have to see all of the rules before we enter into it.

Mr. TAUKE. Does anybody have any kind of proposal for a national system now, any logical place where you would put it?

Mr. BIDLER. Well, my recommendation is that the Federal Bureau of Investigation collects intelligence about criminal activity in the United States, and the activities that we are talking about in relation to molesting and abusing children is a criminal activity, and I would recommend that it be included as a part of that.

I recognize that that may be a controversial recommendation in some quarters, but I personally feel that that is the place where the machinery is already in place and could be done probably cheaper than anywhere else in the Federal bureaucracy, and the law enforcement agencies already have working relationships with the FBI. So they would not have to be re-established.

Mr. TAUKE. I am tempted to relate a case that I ran into in my office this week, and it is so bizarre. But in any event, there is a person in my district who has been arrested on several occasions for molesting children. He has now received social security disability. His disability is that he is a pedophile. Therefore, he cannot get a job, and he is getting social security disability. That is a disability which just boggles my mind, but he apparently cannot be held under State law or he is not held as a criminal because they say it is a mental problem. He cannot be held as a mental patient because there is no chance of improving his condition.

I cannot bypass the opportunity, Mr. Bidler, to ask you: What should we do about a situation like this?

Mr. BIDLER. I wish I had an answer to that. If I had an answer to that I probably would not be where I am today. You know, that is a problem. Pedophiles are problems. Pedophiles are always pedophiles, I guess. I do not think there is any effective treatment program, as you just mentioned.

Clearly, if employers know that an individual is a pedophile, his opportunity for employment diminishes dramatically. I do not have an answer for what you do with a person like that. I do not know that, although I might say lock them up and forget them, I do not know that that is not an answer either.

Mr. TAUKE. You ought to at least get them off the streets. I mean this guy has a whole string of arrests. Is this a common problem or is this a unique situation?

Mr. FERGUSON. Are any of his victims willing to be identified or has he identified them? Does he have any memorabilia concerning those persons on his person or around?

Mr. TAUKE. We know who the victims are, some of them.

Mr. FERGUSON. And are they willing to testify against him?

Mr. TAUKE. I presume so.

Mr. FERGUSON. And did this crime occur within your statute of limitations within Iowa? I do not know. Perhaps a psychologist or an educator could get it out of him.

Mr. TAUKE. I think he has been convicted on at least three occasions, but the problem is that he is not jailed or imprisoned because they say it is a psychological problem, a mental problem.

Mr. KILDEE. I think maybe the Iowa legislature could address that, could it not?

Mr. TAUKE. Maybe so. [Laughter.]

Mr. KILDEE. Well, I say that really seriously because in the Michigan legislature when I served in that body, we wrestled with that problem, and we finally came up with a category, I think, "guilty but insane," and we could hold them for that reason. We will be glad to share that information with Iowa.

Mr. TAUKE. I would appreciate it.

What I am also trying to figure out is that he came to me because he was complaining about the way the social security office was delaying in giving him disability.

I appreciate very much your testimony, gentlemen.

Mr. KILDEE. Major Owens.

Mr. OWENS. Sir, just one question. You mentioned the cooperation you get from police, how police cooperated with the clearinghouses. But I would like to know what kind of cooperation you get from judges and from district attorneys, and what has been your experience.

Let me just relate a couple of cases. I was impressed with the cooperation I got from the police and the judiciary in Oregon when we had a father who had snatched his son from the mother in Brooklyn, and we reached all the way into Oregon, and in a matter of a few days once we located him, the child was back with the mother.

In that case the father happened to be a mechanic who worked very erratically. He had been on drugs; he had a few arrests. He was the kind of individual that the police had records on, et cetera,

and obviously he did not put up much of a fight once he was tracked down. He let the kid go.

Another case happened to be a father who was a writer, who at the time the divorce took place was not doing so well. So he gave the mother custody of the children with visiting rights in the summer, and he was supposed to pay child support. He did not pay child support very well for 10 years. Finally he struck it rich and was doing very well, and he decided he would demand his rights of visitation. The child went to visit, a 13-year-old, for the summer, and he wined and dined the child with a very extraordinary kind of environment, all of the movies he wanted, the circus, et cetera, you know, ice cream and hamburgers. The kid agreed with the father he did not want to come back home.

I was impressed that we were able to get local police to cooperate and the judges in Wisconsin, and we were able to get the child back, but the father just boldly came into New York, into Brooklyn, and snatched the child, with the child's cooperation. He wanted to go back to the ice cream and hamburgers, and once he did that, I could not get the cooperation of our own district attorney or the judiciary.

The father was sophisticated enough to hire a lawyer and petition the court to take the child. He had the child illegally all the time while the court proceedings were going on, and nobody would take any steps. The judges did not see anything wrong with that. They would not take any steps and order him to surrender the child. The district attorney said it was a civil case, but he had the child illegally. He had kidnapped the child.

The psychological damage that you talk about is immeasurable in a case like this, and the poor mother who had meager resources could not hire the same kind of lawyer. She fought the case as best she could in court. She lost.

This seems to me it would make your work much harder, this kind of permissiveness by judges and district attorneys, which sets up a situation where people of means who know the law can hire good lawyers and can create a climate where you are going to have more cases and more kids psychologically damaged, all with a thin vaneer of sophistication of legality, and I just wondered what your experience was with this kind of situation.

Mr. FERGUSON. Our own experience has been good with other States' district and State's attorneys and judges, good, not very good. When we have a need for help though, we go to the American Bar Association Child Advocacy Center. Howard Davidson, who is that I believe also on the board of directors of the National Center for Missing and Exploited Children.

In almost every case where we need help with a district jurisdiction or judge, they have been able to provide me a name in that State and sometimes in that city whom I can call and get some kind of advocate relationship for us.

We did have one defendant in Hawaii who abducted his child, who told us that we could not extradite him because he was not in the United States.

Mr. QUINCEY. Mr. Owens, I might also mention as a State clearinghouse, you are going to find you are going to spend the majority

of your time dealing with the parents of parental kidnapings. It will happen in every State.

Mr. OWENS. Parental kidnaping is the major problem?

Mr. QUINCEY. It happens in every State. In Florida we have found that our office, the State court's administrator's office and our supreme court have been extremely helpful. Normally if you can provide certified copies of a custody order from Florida, we can get the help that we need at the State level.

We do have a problem in dealing with other State agencies outside of the State of Florida, and the local law enforcement agencies that you have to deal with where the child may be unless the child is entered into NCIC, and most States do not utilize NCIC as they should. In Florida, we have about 4,000 children entered into NCIC, but there are only about 40,000 in the national system, and we have found that by children not being entered into that system, local law enforcement agencies in other States are very hesitant to become involved because of the liability that they become involved with if they do pick up that child. An example was given a while ago, and that does cause some problems.

But normally within the State we have very few problems. We have found in using the State court's people that we can resolve any issue regarding custody, but it is a problem from out of State.

Mr. BIDLER. We have a similar problem in Iowa. We had one specific case I will relate where the parents were divorced. They were from California. They were divorced in, I believe, Missouri. The mother had a custody order from the State of Missouri. She moved with the child to the State of Iowa. The father abducted the child from Iowa and moved to another State—I forget which State—Arizona, I believe, and got a custody order from the State of Arizona for that child. So the child was reported missing in Iowa. It became an Iowa case. However, we had conflicting custody orders from two other States, and it becomes a real problem. How do you resolve those custody orders?

It turned out in that particular case that at this point in the game at least, the father has been able to support his custody order in the State where he currently has the child, and the mother has been unable to recover that child.

Mr. OWENS. So in addition to assistance to clearinghouses, would you say that there is a great need for some Federal legislation to clarify this situation from one State to another?

Mr. BIDLER. Yes, sir; I would. In fact, I think in my written testimony I relate that very thing.

Mr. FERGUSON. Judges and State's attorneys have to be trained in this issue just as much as policemen and volunteers and others.

Mr. PATTERSON. This really is an area that we have done a lot of work with at the National Center, both in working with clearinghouses and working with individual kinds of organizations. We do have or have had and are currently renegotiating a contract with the ABA to provide the kinds of services that Alex is talking about, parental kidnaping cases.

You know, what we are trying to do or what we hope we are doing is developing a stronger system through education of various components of that system. The thing about parental kidnaping that makes it hard is that every State has their own parental kid-

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naping legislation, and when you get judges that do not recognize things like the Federal Parental Kidnaping Prevention Act and some of the other kinds of things and think that an order from their court carries precedence over any other order that may be in existence, it really points up the need for educational programs throughout the system in some of these issues.

Mr. OWENS. Thank you.

No further questions, Mr. Chairman.

Mr. KILDEE. Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

I am really impressed with this panel, particularly the tremendous work that the State of Illinois is doing in this area.

I have a quick question for you, Mr. Ferguson. The $5 million that is budgeted for your clearinghouse, is the $5 million line item, under the State Police budget or does this also include logistics support from other agencies, such as the social agencies, et cetera?

Mr. FERGUSON. No, sir. It is $5 million for I Search itself within the Department of State Police, primarily within my division, but also the Division of Criminal Investigation and the Division of State Troopers. Two million dollars of that is grant money to be allocated to local communities by rules that we set in the division of administration.

Mr. LEWIS. I see.

I think, Mr. Chairman, that this panel clearly depicts what can be done in the States if they are given money, such as we have the comprehensive system in Illinois and are witness to what Florida and Iowa have been able to do on limited budgets.

I would like to ask Mr. Quincey some questions if we can be brief, H.R. 604, Wayne, mandates that the clearinghouse be established under the auspices of law enforcement. What role does law enforcement play and why is it so critical?

Mr. QUINCEY. Mr. Lewis, I think one of the first things I should say about that is generally when a child becomes missing, the local law enforcement agency in that particular jurisdiction is almost always the first person or the first agency that is contacted. The State clearinghouse, I think after that it becomes a support role to the local law enforcement agency.

Particularly in Florida, we have a statute that requires the local law enforcement agency to enter the child into NCIC. They are the only ones that can do that. I think it is very important that generally your local law enforcement man is going to be the one who handles the investigation. Anything that is done at the State level or at the Federal level should be in support of that local law enforcement agency's efforts.

If we circumvent them, if we do not provide information to them, then I can assure you they will not work with you at the State or Federal level. I think it is vital that the agency that handles the investigation hand the entire investigation and not just portions of it.

But generally I think the most adequate response to that is that generally the local law enforcement agency is going to be the one that responds to that, and they are going to handle the investigation, and they are really the only ones that can handle the investigation.

Like we are, we have four people in Tallahassee. We are not able to respond. We are not a 911 agency, but the local law enforcement agency is, and anything that we do should be in support of an investigation that they do. In Florida we try to do those things that can assist them in trying to recover that child at the State level, but generally the local law enforcement agency is the one that handles the investigation, and that is where it should be.

Mr. LEWIS. I would like to ask you this question. In his opening statement, Mr. Patterson brought out something, and I believe the other gentlemen did as well, that if a child is located by a police officer in Florida, that police officer would have to notify the Illinois agency even though the Florida officer has custody of the child. Now, using the clearinghouse scenario and going through the NCIC, can you not go directly to Illinois if you locate the child? Is that not one of the beauties of the clearinghouse?

Mr. QUINCEY. Yes. What we would do, if a law enforcement agency in Florida contacts us and says that we have a child that is entered into the NCIC, generally what we are going to do is sit down and do an inquiry into the NCIC system. We want to know who the investigating agency is, and we will, in turn, immediately contact the law enforcement agency that entered that child into NCIC and have them put in touch with the agency that has the child in Florida. I think that is the role of the clearinghouse, and that is the way it should be.

Unfortunately what we have found so many times is that so many States do not enter children into NCIC, and when you do an inquiry, just as they have done, there is nothing there. We had that happen two times in Texas in the past 3 months where we have actually contacted the State of Texas clearinghouse. They had information in regard to the child, but the local law enforcement agency did not enter that child into NCIC, and again, that is the reason we feel so strongly that all law enforcement agencies in the Nation need to utilize that resource.

The agency in Florida contacted us hoping that we would know how to get in touch with the agency that had information about the child, and all it was, was that the agency had a policy in Texas that they did not enter all missing children. This was a runaway, a 13-year-old kid. But I think it is vital that they enter all missing children into NCIC.

We contacted the National Center, and they by chance did not have any information on it. I think that is the reason the State clearinghouses are so important. They provide resources that many times the local agencies do not utilize.

Mr. LEWIS. And this, Mr. Chairman, is one of the elements of H.R. 604. With the education to local law enforcement that you were inquiring about, that we hope would apply to using the NCIC for interchange back and forth between the interstate clearinghouses.

Wayne, I would like to ask you: What type of children are entered into your system?

Mr. QUINCEY. Congressman Lewis, we enter parental kidnapings, runaways, criminally abducted children, and any child who is missing under the age of 18 that is either believed to be in Florida or that is missing from Florida, regardless of the circumstance. We

also require that the local law enforcement agency have already entered that child into NCIC, but all four of those types.

Mr. LEWIS. How many children have been entered into the system? Do you have those numbers, by chance?

Mr. QUINCEY. In the clearinghouse itself, we have entered since February 1983 over 6,000 children into that system. Now, currently we have about 1,112 currently missing in that system. In other words, we have had over 5,000 entered and canceled, but even today we have over 1,000 children missing from Florida that are in the clearinghouse files, and we have over 4,000 that are entered into NCIC that are missing.

Mr. LEWIS. Are these numbers hard enough that the committee could use this, if necessary, to get some idea of the kind, type, and scope of the problem we have here?

Mr. QUINCEY. Yes, sir. In proportion, I think you probably could. Keep in mind though that Florida has only had that law since February 1983. Children that were missing prior to that many times may have not been entered into that system. We have found generally that law enforcement agencies will just about always enter criminally abducted children if they know the child has been criminally abducted. Many of them will not enter runaways. They simply will not enter runaways. Parental kidnapings, unless they have a certified copy of a custody order, many times they will not enter those children as well, and in some respects I think they are scared of the liability factors that come into play when you enter a child into that system and have another law enforcement agency actually take that child from a parent who may actually have legal custody.

We caution them about that. We encourage them to obtain certified copies of the papers.

Mr. LEWIS. You stated, I believe, that you have four people to operate the clearinghouse.

Mr. QUINCEY. Yes, sir, and a budget of about $145,000, and we are very envious of Illinois.

Mr. LEWIS. How much interaction have you had with the National Center over the past several years?

Mr. QUINCEY. Over the past few years, we visited the Center, I think, three times. At the first showing of the movie "Adam," we came up and provided some technical assistance to them. You know, we operated the hotline after the movie "Adam" was shown for the second time in Florida. We had about 175 volunteers from our agency there, and the National Center came down.

We have worked very closely with the National Center. Likewise, I feel that the National Center needs to get out to the State clearinghouses and provide direction to the State clearinghouses that are currently in existence. So many of them are kind of going off on their own tangents right now, and I think that is going to hurt the effort overall.

That is the reason we are so supportive of H.R. 604. I believe this National Center is in a direct leadership role, and it can provide an enormous amount of technical assistance to the States. I know in Florida, when we started our clearinghouse, we had nobody to follow. We really did not have anybody that we could look to for guidance, and we floundered for a while. Then we started meeting

with local law enforcement agencies, and believe me, they will tell you how to do everything.

But I believe the National Center is in an ideal position to provide a lot of good technical assistance to the States. Likewise, I think they need to get out to the States and visit with the States to do that.

I believe strongly that the National Center will never be accepted in this Nation unless they get the support of local law enforcement agencies. Local law enforcement agencies will either make you or break you as a State clearinghouse. If they support you, if they understand that you will not circumvent them in their efforts, they will work very closely with you.

I feel very strongly that it is going to be very difficult to operate a State clearinghouse in a non-law-enforcement agency, such as the Department of Education. Law enforcement agencies tend to only work with law enforcement agencies. I feel that if you put a clearinghouse in an agency that is not a criminal justice or a law enforcement agency, they are going to be very hesitant to give you leads on a missing child, and that will hurt the overall effort in that particular State.

I think Alex alluded to a couple of things that I would like to just comment on about the need for psychological testing or the psychological aspects of a missing child. I think it is very important.

In Florida we deal with that through our HRS, our Health and Rehabilitative Services. They have people in every county that are very trained, and we have found just by making them aware of what we are doing that they are very supportive and very helpful to you. You have just got to know who those people are.

Mr. LEWIS. I certainly did not mean to exclude any other panel members from answering these questions. If you would like to chime in, that is perfectly all right.

Mr. Patterson.

Mr. PATTERSON. Mr. Lewis and Mr. Chairman, if I could, the National Center is, as indicated, starting a much more aggressive technical assistance program that will, indeed, have our people out providing technical assistance, not only people on our staff providing technical assistance, but also out facilitating the delivery of services from other people in clearinghouses, benefiting from their successes and failures that they have had in exchanging information in what is really a very new field. Up until 2 years ago, Florida was the only clearinghouse that there was out there, and now we have got about 37 States that have some form of a clearinghouse either through legislation or in some cases Executive order or administrative directive.

So, you know, we are beginning to play catchup and to address the technical assistance needs. We will be having a training session in St. Louis coming up early November where all of the representatives from clearinghouses will be invited to come in and participate in another program where there will be a lot more opportunity for exchanging of ideas and information between clearinghouses.

Mr. LEWIS. Mr. Ferguson.

Mr. FERGUSON. Yes, sir. With respect to the National Center, we have generally been impressed with their publications and techni-

cal assistance. We do a lot of work with them on specific pieces of legislation that we might be able to use in Illinois.

We also have had one case where we have recovered a child in Australia last week, and the ties the National Center has to the State Department helped us in that case. We do not see a lot of international cases, but I do know of some going on right now within the I Search Program.

With respect to the statistics, we have as of September 1, 1986, 1,302 persons under the age of 21 entered as missing into our State NCIC system or leads. Generally within a year we will have 25,000 to 30,000 entries. That includes the city of Chicago. It is one of the largest jurisdictions city-wise that reports missing children immediately.

We are not confident in these numbers. I cannot tell you that they will not leave a messy audit trail. Frankly, we do not know yet how many children are missing by stranger or by parent and by runaways. We clearly know that runaways are the largest category. Somewhere after that is parental, and somewhere after that is stranger.

Mr. LEWIS. Mr. Bidler, do you have any comments to make on some of the questions I have just asked?

Mr. BIDLER. Not specifically. I agree with the comments from the rest of the panel in terms of the requirement that the clearinghouses be in law enforcement agencies, that they work closely with the National Crime Information Center.

We also have worked with the National Center very extensively in the past year or so and agree that they do some good things and some things that we feel they should be continued to be allowed to do.

Mr. LEWIS. I just have a couple more questions, Mr. Chairman.

Wayne, why don't you start off and tell us what interaction did you have with private organizations and other State agencies? You did mention HRS.

Mr. QUINCEY. Yes, sir. In Florida we have seven private organizations who have been active for the most part since 1981, two centers in particular, the Adam Walsh Center, both in Fort Lauderdale and in Orlando, which have been very active, as you know, primarily because of the efforts of John Walsh. Children's Rights of America with Kathy Rosenthal, I would comment on simply because I found her to be the most knowledgeable woman in America about parental kidnaping cases. This is a lady who knows how to get things done, and we have tapped that resource numerous, numerous times.

Many law enforcement agencies, I think, shy away from private organizations, primarily sometimes because the private organizations criticize local law enforcement agencies for what they do and do not do. Over the period of years and in Florida, we have worked very closely with both of them and tried to more or less let each of them understand what each other's roles are. We have had numerous meetings with them and with local law enforcement agencies, which I think have solved a lot of communications problem.

We do not perceive a private organization as being a negative. In fact, many times they provide some very positive things to local law enforcement agencies as far as support to a parent of a missing

child. They many times deal with the parents of missing children a lot. In Orlando, for example, the Adam Walsh Center meets once a month with parents of missing children. They come to one center, and they sit and just talk about it.

That type of support local law enforcement agencies do not have. They do not have the resources to do that, although they participate in the meetings.

We have been very impressed with the private organizations in the State of Florida, and I would encourage any State clearinghouse to become aware of those people and what services that they do provide. They are very good in most instances. A lot of times it is misunderstood as to what each other's roles really are.

I think many of the private organizations do not always understand that local law enforcement agencies many times do not have the resources to immediately respond to a child who may have run away for the 15th time. Likewise, law enforcement agencies need to be responsive to those children who have run away for the first or second time. Those children are really in danger.

So I think each of them has a role to play in the overall problem of missing children. I think we just each need to know what that role is and work more closely in understanding what that role is.

Mr. LEWIS. How about in Iowa, Mr. Bidler?

Mr. BIDLER. Yes. The major area where we have been successful in working with the parent and private organizations is in the area of once we locate a missing child, for instance, in another State. Quite often it is through the help of the private, voluntary organizations that we are able to provide the ability to recover that child and bring them back to Iowa.

In a recent case where we had an individual from Iowa that left home, was recovered in the State of Texas, the law enforcement agency in the State of Texas turned that child over to a private, voluntary organization for safekeeping and basically washed their hands of the case, said, you know, it is Iowa's problem how to get it back. The law enforcement agency in Iowa said, we found him; it is in Texas; it is their problem to get him back.

So that parent contacted our center, and we were able to, through contacting the private, voluntary organizations, to arrange for the reunion and the transportation of the family, and that is the area that we have been most successful in working with the private voluntary organizations.

We also use them for publicity purposes and training purposes.

Mr. LEWIS. Mr. Ferguson.

Mr. FERGUSON. We also support the private, voluntary organizations' work. They have been supportive to us, and we do not believe that we know everything about this issue, and we think that PVO's and volunteers and someone who comes in off the street that has a good idea will take and try to communicate it to others.

Mr. LEWIS. I am not asking you, Mr. Patterson, because I know you do work directly with them.

I have another question. You all have in-State toll free Watts lines that can be used. Given the fact that the National Center has one, why are the State clearinghouses' toll free Watts lines needed?

Mr. FERGUSON. Essentially we developed ours because we wanted to use it as a leads device. If a child is abducted by a stranger, we

put that number on a number of flyers and throw them in the top part of the State, if that is where the abduction was from, and through other States. We used that in one case involving a 7-year-old girl who was murdered, and 2,000 calls came in on that case. For specific kinds of cases, for those Illinois children, we need our own number, and I do not know that the National Center could handle that kind of volume for specific cases.

Mr. LEWIS. Mr. Bidler.

Mr. BIDLER. Another thing that we use the toll-free number for is to provide information to parents. We quite often will get calls from the parents of a missing child who do not believe they are getting the type of response they should be getting out of the local law enforcement agency or feel that there is other information that they would like to provide, but do not feel comfortable with working with law enforcement agencies. So we use that as a method of communicating with the parents, with the family of missing children.

Mr. QUINCEY. Congressman Lewis, we also use it for the same purposes. We average about 55 calls per day on our toll-free line. One of the things that we have done, and it is very inexpensive, is to work very closely with your newspapers and television stations in Florida. We have found that you do not need an enormous amount of money to get things done with an issue such as missing children. Local newspapers and television stations will be more than happy to help you, for the most part, particularly if it is a child from the State of Florida.

By establishing those kinds of procedures, you know, $5 million is great and we wish everybody had it, but not everybody does. So you have to take advantage of the issue, and we have done that in Florida. We have pushed very hard to get city groups and anybody we can find. We have got Florida Power, which provides over 260,000 telephone bills per month. They publish a missing child in that phone bill every month. There are an enormous amount of resources that you can use.

Likewise, we have established the toll-free line in Florida so that those agencies knew that they were dealing with a Florida agency, and I think it has worked out very well for us.

Mr. LEWIS. John, you may want to comment.

Mr. PATTERSON. We encourage State clearinghouses to have an in-State toll-free number. It is important to be used by the citizens in that State when they either have a sighting or request information. Obviously when you have a picture of a kid shown on "Good Morning, America" or something you cannot show 50 State clearinghouse toll-free numbers, and therefore, the national hot line is important.

Mr. FERGUSON. One negative thing about the national hot line is that 2 years ago we developed our State hot line. I did not know the number for the National Center, and I think they did a poor job of early marketing of it. As I understand it, it is an acronym, 1-800-THE LOST. In the early days of the national number it was a series of numbers for which I had no idea, and I felt that we needed to do something with an acronym, hence, 1-800-U HELP ME.

Now, I think the National Center is more marketing THE LOST rather than anything else, and I think that you need to remember something like that.

Mr. PATTERSON. Mr. Chairman, interestingly enough, I think people at AT&T have told us that people generally tend to remember the numbers more than the acronym. I am not sure what they base that upon, but that is the information that we have been given.

Mr. LEWIS. I think that is right. It has just been within the last few years that they have really gotten tuned in. I recall on the first "Adam Walsh" film that the Florida toll-free line was used for the National Center in order to filter all of the calls of the United States.

Wayne, I have one final question for you. Who do you believe should administer the funds from H.R. 604?

Mr. QUINCEY. I think in my earlier comments we recommend that the Office of Juvenile Justice and Delinquency Prevention administer those funds. We believe that an advisory board consisting of social service agencies, law enforcement, the National Center should be appointed to administer those funds.

I think that many States will not apply for Federal funds if those funds are administered by the National Center. I hope that does not sound too negative toward them, but I think they will be concerned that they are not dealing with a local law enforcement agency or Federal law enforcement agency.

I think the Office of Juvenile Justice and Delinquency Prevention would be the most appropriate agency to administer those funds.

Mr. LEWIS. Mr. Chairman, those are all of the questions I have now.

Mr. KILDEE. Thank you very much, Mr. Lewis.

I want to thank the panel. It has been very, very good and very, very helpful. Sometimes you may wonder whether coming to Washington will help. I know you have educated me a great deal this morning, brought me some insights I did not have before, and I know it will be helpful to this committee not only on this bill, but the whole question of missing children.

On a personal note, Alex, when I was in the State legislature, I was in charge of the State police budget for a few years. At that time I was the first liberal on the appropriations committee, and the chairman put me in a place where he felt I would not spend much money. But I spent money there, too, by giving State police in Michigan their first overtime appropriation.

But in that capacity, I used to travel to Illinois and visit the Illinois State Police and was highly impressed. I can tell you right now that I Search has even added more to that great impression.

Mr. FERGUSON. Thank you. I appreciate that.

Mr. KILDEE. I thank all of you. It has been very, very helpful. Florida was the pioneer in this, and I appreciate Mr. Lewis for bringing this bill to our attention. We will certainly work with all of you and Mr. Lewis to see what we can do to take our limited resources and try to apply them in the best possible way. I appreciate your help this morning. Thank you very much.

Our next panel consists of Georgia Hilgeman, executive director of Vanished Children's Alliance, Los Gatos, CA; Charles A. Sutherland, trustee, Search Reports, Inc., Englewood Cliffs, NJ; and Barbara Rachelson, executive director of the Michigan Network of Runaway and Youth Services, Lansing, MI.

We appreciate your patience. We are not exactly on schedule, but I think you understand that we do not want to rush anyone in this because we are really just scratching the surface in this whole area, particularly regarding the Federal involvement.

We appreciate the previous panel and know we will be enlightened by the present panel, too. So, Georgia, do you want to start your testimony?

STATEMENTS OF A PANEL CONSISTING OF GEORGIA HILGEMAN, EXECUTIVE DIRECTOR, VANISHED CHILDREN'S ALLIANCE; CHARLES A. SUTHERLAND, TRUSTEE, SEARCH REPORTS, INC.; AND BARBARA RACHELSON, EXECUTIVE DIRECTOR, MICHIGAN NETWORK OF RUNAWAY AND YOUTH SERVICES

Ms. HILGEMAN. Mr. Chairman, members of the subcommittee, I really appreciate the opportunity to be here today to discuss H.R. 604, dealing with State clearinghouses.

I am the executive director of the Vanished Children's Alliance, which was formed in 1980. It is a nonprofit organization dealing with the location of missing children, providing technical and counseling services to the parents of missing children. We network with other child advocacy agencies and law enforcement agencies. We have support group meetings for victim parents, and we do a number of things in addition to the actual location assistance. We are involved with educational programs and materials to prevent child abduction. It mainly deals with child safety issues.

I want to briefly talk about some of my experiences and my education because I would like to dispel some of the myths that some people have concerning nonprofit organizations.

I have a great deal of experience in child and family counseling, missing children, child safety programs and missing children's organizations. Academically, I have a master's degree in educational counseling. I have a bachelor's degree in social service, with a minor in psychology. I possess three California life credentials, one in people personnel services, one in community college counseling in the area of psychology, and also community college counseling credential.

In addition to my many duties as the executive director of the Vanished Children's Alliance, previous to that I was a school counselor for 10 years. Now I am also involved on the board of directors of NAMCO, which is National Association for Missing Children's Organizations. I am the chairperson for the National Center for Missing and Exploited Children's PVO Liaison Committee. I am the cochairperson of the California Coalition for Missing Children, and a very active member of the Santa Clara County Victim Support Network.

In addition to these experiences, I have had the most tragic experience of having had a missing child for 4½ years. My daughter was missing from 1976 through 1981. It was, in fact, my ex-husband

that reported to police that she disappeared from his side. I did not know, in fact, whether it was a parental abduction or a stranger abduction or what, and I ultimately found her living in a slum of Mexico City in 1981.

I speak to you today as a representative of the Vanished Children's Alliance and for myself. I am really not representing any other groups, in particular, today. I hope though to address those issues and those concerns that I feel are those of the parents and the children.

I really care about the missing children. This issue is extremely personal to me, having lived this nightmare and also having dealt with thousands of parents of missing children at this point in time.

I want for the children what we all want for them, their safety, security, a bright future, a loving home. I would like nothing better than organizations that have formed to address the issue of missing children to become obsolete because, in fact, there were no missing children. Unfortunately, I do not see this happening in the near future, and therefore, I think we really need to address some priorities and what we are going to do about it.

There are many, many good ideas, but unfortunately, as it always seems to me, limited dollars. I would like there to be more dollars available to fund more programs. I would like to make it quite clear that I am not here to criticize or to say that I am against State clearinghouses. That is not the case. In many instances I have supported State clearinghouses, especially in concept.

But I think that in this particular case there are limited dollars, and we have to really consider what is the most effective way to help those people that we are here to serve.

Some of you may or may not know, but there are approximately 25 missing children's organizations, nonprofit, that were dealing with this issue prior to any major publicity or major awareness in this particular field. Why did these groups form?

Well, they formed because somewhere out there there was a need. Parents needed them. Many of these families felt that they were not being serviced adequately by law enforcement. So these groups formed to serve the parents, to serve the kids, to do the best that they could to the best of their abilities. They did not do it for money or for glory or for any other self-serving purpose. Indeed, these people and these organizations are the unsung heroes of this Nation. They have given of their time, and when I talk about time, I mean days, nights, weekends, holidays, in the middle of dinner. They have paid organizations' expenses out of their own pockets. On a daily basis they deal with human tragedies that a lot of people are not even aware of.

I would say that if State clearinghouses could, in fact, replace us, so be it. But again, I do not believe this is the case.

In the last few years, there has been a lot of attention given this issue, and I think all Americans are aware that there are missing children in this Nation. Unfortunately, with this increased awareness, there have been many that have jumped on the bandwagon for not so honorable intentions. They include unscrupulous fund raising scams, hyped up fingerprinting programs, organizations forming to utilize fear tactics to solicit money. Unfortunately these

particular hucksters that exist have done a lot of damage for the nonprofits that are truly trying to help the families. It puts everybody sort of in the position of being distrusted and thinking that all of these groups are in the same category.

I think though the true test of who is doing what and for what purposes could be easily determined if you removed all of the money and all of the glory, and you looked around, and who would you find? I do not think you would find clearinghouses. I think what you would find would be these particular dedicated people who have formed these organizations to assist the families.

So much money has been spent in the name of missing children, and the Missing Children's Assistance Act, but to my knowledge there have not been moneys available to the nonprofits, although I recently heard from Stephen Block from NPALM that minigrants from $3,000 to $25,000 would become available.

Personally, I cannot believe it. I feel that these groups and organizations have found so many children and helped so many families, and at this point in time we might possibly be thrown some tidbits.

I think it is really a shame that the priorities are confused. I really wonder how many of you have ever visited any clearinghouses or any of the nonprofit organizations to really know how they function, and I invite you to take some time out and visit some of the nonprofits because I think you will never find the dedicated group of people there anywhere in any kind of bureaucracy that might be created.

But meanwhile, there are children that are missing now, and we really need to address how we are going to help them now. I feel very strongly that if these particular organizations are not properly funded, there is going to be some rebellion. I sincerely believe that.

I have been involved with this issue way too long to not see the handwriting on the wall. These particular nonprofits are overworked. They are tremendously overworked. A lot of these people do not have time for lunch breaks, any breaks at all. They cannot get a chance to even leave the office quite often because the phone is ringing, something has to go out. Even when they do go home, they have to return victim calls, sighting calls, take work and write letters at home, and do presentations at home, and I think that this has been a whole area that people have not realized.

I listened very closely to the people speaking about clearinghouses, and I think that there seems to be a lack of awareness of what these people have done for the children of America.

I would like to address the term "private voluntary organizations" because I strongly dislike it. I think it has some very hidden implications here.

No. 1, the implication of the term is that we must be volunteers or that we must be volunteers for life; additionally, that perhaps we are not really professionals, the term "volunteer," or that perhaps we are just independently wealthy and are looking for some diversion in life or perhaps the organization will be gone tomorrow.

I do not think that this is an accurate representation of what we are, and I think that we desperately need some moneys to come out

of the Missing Children's Assistance Act to adequately fund these particular organizations.

I am not against law enforcement. I have worked very closely with many law enforcement agencies around the country, but I would like to share with you the fact that many parents of missing children have had many negative experiences with law enforcement, and when you talk to as many parents of missing children as I do, and that of my staff and other organizations that deal with parents, you know that parents have developed a basic mistrust for law enforcement, and that is why I think that nonprofits can play a very significant role, as a mediator between the families and the law enforcement agencies.

Unfortunately, in the kind of situation where there is money involved and there are some people who receive and others do not, this particular format is not conducive to cooperation, and I feel strongly that there is a tremendous need for cooperation in this issue between the various people involved and the various organizations involved.

But when there is money and some get it and some do not, those that do not get it tend to feel angry and disheartened, especially if they have been very hard workers, and those that often do receive the money feel like they know more and they are better.

It has appeared to me for quite a long time that there has been some effort to displace the nonprofits, and I think that with the formation of more and more clearinghouses, it is questionable to me what the future of the nonprofits would be, and it really does concern me because we spend a lot of time talking to the families of the missing children. They learn to trust us. They do not see us as law enforcement. They tell us information that could be vital to the recovery of a child. Oftentimes they do not give that information to law enforcement perhaps because the information was rushed when it was taken or perhaps they just did not feel comfortable passing on that information, but that little bit of information may be vital to the return of the child.

Another significant aspect is that no one is going to love that missing child as much as the parent, and we, the nonprofits, feel a tremendous responsibility to keep the parent going, keep the parent involved with the search. There are things that parents can do. A parent can go absolutely insane sitting around waiting for the police to call, and I have experienced that first hand as well.

I would like to address some of the specifics of H.R. 604, some of the findings of Congress, which I am not quite clear how they came about in the first place, but the subsection 1 under section 421, dealing with State and local law enforcement agencies serving a vital role in the safe and quick recovery or return of missing children. Indeed, law enforcement should serve a vital role and in many instances does. There are many instances where they do not, and they do not become involved or they do not become involved quickly.

Another section deals with the fact that the law enforcement agency is the initial contact place for the parents, again, this is not always the case. We find many parents of missing children that contact us first and ask what should they do. They do not know what to do. So we encourage them to contact their local law en-

forcement, to file police reports, to visit the DA, depending on their particular case.

Then there are other instances where parents have contacted the law enforcement agencies, and they were turned away, and then we act as the mediator in the sense that we would then contact the law enforcement agencies, trying to make sure that the proper warrants are issued or whatever. Sometimes we provide the parents with a vital penal code section or sometimes we even accompany the parents to the police station.

The section 423, dealing with the grants, I have some concerns about. I see a lot of duplication of efforts, and I do not want to see that. I think that we all have some particular areas of expertise, and we should utilize that rather than reinventing the wheel.

Subsection B, dealing with educating parents, children, community agencies and other organizations to prevent the abduction and exploitation of children, I see that a lot of that is already being done. After the airing of "Adam" the first time, there was a great demand from the American people to be educated on this issue, and there has been a lot of materials that have gone out, a lot of presentation.

I personally was out almost every night of the week giving presentations in this particular area, and I know that there are a lot of other organizations that have addressed this particular area as well, and I think that there is a tremendous need that the public learn the real issues surrounding missing children, who they are and how it happens and the myths and realities that concern the issue.

The subsection C, dealing with providing public information to assist in locating and returning missing children, including the distribution of a monthly bulletin, well, again, a lot of the nonprofits are doing this, and the monthly bulletins, I have seen some from some of the clearinghouses, and I find them in a sense to be more of a public relations tool than a way to locate missing children.

Any knowledgeable law enforcement agency knows that in the case of, let's say, parental abductions, most of those children are not in the state that they disappeared from. So if they were in a bulletin for that state, it is not going to do much good.

In the case of stranger abductions, which are relatively few, those children, if they are not located by the time that particular bulletin is taken to press and distributed, most likely they are deceased, and in the case of runaways, a lot of those children are back home by that point in time, too, and there is some controversy and question as to whether runaways should be included in that particular type of publication.

The subsection D that deals with publishing directories of organizations, et cetera, again, that has been done. We have in our office numerous such publications. Why are we reinventing the wheel?

Establishing in-State toll-free lines, again, there is a national toll-free line. A lot of the nonprofit organizations have toll-free numbers. We do in California and outside California. The American public is going to become tremendously confused with all of these toll-free numbers.

The subsection F that deals with cooperation and acting as a liaison for other public and private organizations to locate missing

children, I believe it would be a much more effective tool to have some in between, some committee, some group—I do not know exactly what—to act as a liaison between the families and law enforcement because there is a tremendous amount of problems in that area, and if you make law enforcement strictly controlling this issue, I am afraid of what is going to happen.

Subsection G, which deals with working with the National Center for Missing and Exploited Children, again, I would like some very clear definitions of what that means. It is not clear to me. It sounds to me as though the National Center would have direct control over a department of law enforcement, and to my knowledge, I have never heard of a nonprofit, as the National Center is incorporated, to have such control.

I am also really concerned with what is going to happen to the nonprofit organizations because I think in a sense they are systematically being eliminated, and I do not think that the support that we provide the families can be adequately replaced.

There are many strong and weak programs in this field, and I really think we need to prioritize them and decide, you know, what is needed here. What is going to be the most effective things to help find these kids and support the families during the time that their children are missing and after the fact, as well?

A lot of emphasis has been placed on the photographs of missing children, and indeed, it is one way of locating missing children. It is the only method that the public can be involved with and the public should be aware of, but there are other methods of locating missing children, much more effective methods, but those methods have to be kept somewhat private because you cannot teach abductors or potential abductors what they are, and I think usually the most effective ways of locating missing children are these quiet ways, and I think the same analogy applies in that some of the most effective groups that find these children are the ones that are not the most visible.

I believe that a lot of valuable work has been done in the missing children's field, and there are a lot of good ideas and a lot of ideas that look wonderful on paper, but unfortunately, folks, it is not paper that finds children. It is people, and we really have to be looking at who are the people who are doing this and support those that are making an effort and doing a good job.

I think, in conclusion, I have some recommendations that, in fact, there has to be adequate monies for the nonprofits. That is not say that state clearinghouses should not exist, but I think the first intent of the Missing Children's Assistance Act was, in fact, to address that of the nonprofits, and that, to my knowledge, has not been done, and I do not think when it comes to funding those groups it should be just peanuts.

I think that these groups, these advocates for kids and families, if they are not supported, they are going to be a group of very powerful people who are going to combine their efforts and are going to combine their efforts with parents of missing children, and this issue is going to balloon in such a way that has not been seen yet, and I am real concerned about it. I much prefer to see people cooperating and working and coordinating their skills to find these kids, but I think that these groups have to have some priority now.

I think they have been here before any clearinghouses. As a matter of fact, they helped support the clearinghouses, the National Clearinghouse in the first place. They were here to support the families way back when, when there was nobody else around, and I think now it is time that the shoe falls on the other foot, so to speak, and it is time that others in our Government support the work that we have done.

I think if these organizations are properly funded, they will help the clearinghouses. They will help legislation. They will be much more effective. They will tend to want to cooperate more, but I think that they at this point have helped so many people and seen nothing in return.

I think that there has to be moneys for the old time organizations who have proven themselves, and I think there needs to be some moneys available for the newer organizations that have formed, but I think that there has to be some more stringent qualifications because some of the newer groups have started for a variety of reasons, some good and some not so good.

I think that the funding for these organizations should come from an independent ward consisting of peers from other nonprofits and also those people that are experienced in the missing children's issue and the location and the legalities and the psychology. I do not know that NPALM has that particular area of expertise in missing children. Many of us could become much better managers if we had more time, but we are spending all of our time with the families and locating and preventing these tragedies from occurring.

I think the groups need to be empowered in the sense to play some role as liaison between law enforcement and the parents, and I feel that that is a very strong, important role. I do not think ever that law enforcement can replace the kind of one-to-one attention, the empathy, the fact that we can tell a parent, "Yeah, I know what you're feeling. I know what you're going through." The fact that we are willing to give up our Christmas days or the middle of the night because the parent is about ready to commit suicide or the anniversary of the child's disappearance and the parent just does not feel like they can make it through one more day.

So I think that we, the nonprofits, are not replaceable. If we could coordinate some efforts where we are properly funded, then we will support a lot of other things that I think will ultimately help bring us all together and bring our children home.

Thank you very much for the opportunity for speaking here today.

[Prepared statement of Georgia K. Hilgeman follows:]

Prepared Statement of Georgia K. Hilgeman, Executive Director, Vanished Children's Alliance

Mr. Chairman and Members of the Subcommittee, I appreciate the opportunity and honor to have been personally invited to appear before you today to discuss H.R. 604 concerning State Clearinghouses.

The Vanished Children's Alliance formed in 1980 is a non-profit organization dedicated to locating missing children, giving support and technical assistance to searching families, networking with other child service and law enforcement agencies and providing educational programs and materials that address child safety and advocacy. From 1/1/86 to 9/5/86 we have worked on 243 cases of missing children, and have had 91 recoveries. In addition, we have counseled and provided technical assistance to an additional 350 victim parents. To date this year our expenses were $ 59,111.74 and our income was $ 38,713.05.

I have a great deal of experience in the area of child and family counseling, missing children, child safety programs, and non-profit missing children's organizations. Academically I have a Masters Degree in Educational Counseling, a Bachelors Degree in Social Service and a minor in Psychology. I possess three Life California Credentials: a Pupil Personnel Services Credential, a Community College Teaching Credential in Psychology, and a Community College Counseling Credential. Professionally I was a School Counselor for 10 years and have been the Executive Director of the Vanished Children's Alliance since 1981. In addition to my many duties as Executive Director of the Vanished Children's Alliance, I am also Vice-President of the Board for the National Association of Missing Children Organizations' (NAMCO), Chairperson of the National Center for Missing and Exploited Children's Private Voluntary Organizations Liaison Committee, Co-Chairperson for the California Coalition for Missing Children, and an active member of the Santa Clara County Victim's Support Network.

I have had the tragic experience of a missing child. In 1976 my 13 month old daughter was abducted by my ex-husband who in fact reported to police that she had disappeared from his side while attending the Grand Opening of the Oakland City Center. I found her at age five and a half living in a slum of Mexico City with my ex-husband's relatives. She did not know me and knew her father only as her godfather who visited a couple of times.

I speak to you today as a representative of the Vanished Children's Alliance and myself.

I truly care about the missing children, their pain and the pain of the families left behind. I have experienced the pain and have felt the pain expressed to me by thousands of searching parents. I want for the children what we all want for them...their safety, security, the experience of a loving family, and a bright future. I would like nothing better than for all missing children's organizations to become obsolete because there were no missing children. Unfortunately, I do not see that happening in the near future.

I have no idea the number of children that become missing each year, but I know by the number of calls received by the Vanished Children's Alliance that there are many.

Meanwhile, there are numerous ideas on how the problem of missing children should be addressed. There are limited dollars. Therefore priorities must be set. If our children

are so important to us that should be reflected in the amount of money our government puts into their safety and into locating the missing.

I wish to make it quite clear that I am not here to say that we should not have state clearinghouses. I have and do support the state clearinghouse idea in concept. I am saying if there are limited dollars let us first properly fund the established knowledgeable non-profits who can put the money to its most effective use.

Some of you may not know but many (about 25, including the Vanished Children's Alliance) missing children organizations existed before missing children were acknowledged as a problem. Why? Because they saw the need, and attempted to the best of their ability, to fill it. They helped the families not for glory, money, or any other self serving motive. These organizations indeed consist of people who are this nations unsung heros. They have given of their time, days, nights, weekends, holidays, and paid the organizations expenses out of their own pockets. On a daily basis, they have dealt with human tragedies that most people cannot even imagine. I would say that if clearinghouses could fill the void and adequately replace these non-profits, so be it, but this is not the case.

In the last few years the issue of missing children has become quite popular. The attention given this problem has made nearly all Americans aware that we have many missing children in this country. With this increased awareness many people and groups have sought to jump on the band wagon for not so honorable intentions. They include unscrupulous fund raising scams, hyped up fingerprint programs, politicians trying to make a name for themselves and organizations formed making untrue claims and using scare tactics to solicit money. I have become disheartened to see the abuse of this issue and to realize the numbers of hucksters that exist to take advantage of our children in real need. These hucksters have also made it most difficult for reputable organizations to receive the necessary funds needed to do their work adequately.

I believe the true test of who is doing what and for what motive could easily be determined if all monies and the limelight were removed. We could then look around to see who was still there to help the families of the missing. There is no doubt in my mind that only the dedicated non-profits would remain.

Yet exorbitant amounts of monies have been spent in the name of missing children, certainly not in a cost effective manner. In addition the Missing Children's Assistance Act of 1984 specifically states that grants will be available to the non-profits that qualify. After all this time monies are still not available. Recently I spoke with Stephen Block from INPOM who said that soon mini-grants from $3,000 to $25,000 would become available. I cannot believe it. After all the good work these non-profits have done for the children of America and their families they are going to be tossed tidbits. What a shame the priorities are so confused!

Have those of you making the decisions on how the monies from the Missing Children's Assistance Act will be spent ever visited a non-profit, a state clearinghouse, or any other agency that claims to assist in the recovery of missing children? I think it is time for you to closely look at what you are funding. Are you creating bureaucracies that look

good politically or are you funding programs that address the needs of the children and families. I invite you to visit our organization and other non-profits for a day or two, so you can see how the other half lives. You will never see the dedication you have from the non-profits in any bureaucracies you create. Meanwhile, there are children missing NOW, needing our help NOW. It has been my experience that clearinghouses refer the victim parents to the various non-profits. Therefore the non-profits have the case work and often find the missing children without the benefit of comparable dollars. Imagine how many children non-profits could find if they were appropriately funded. I believe more children would be located and returned to their homes in a much more cost effective and expeditious manner.

Clearinghouses do not claim to locate missing children, non-profit child location agencies do. What is the priority?

Non-profits are overworked. The case load increases everyday. There is rarely a chance to eat lunch or even take a break. When it is time to go home, we usually cannot leave because something is not completed and must go out that day, or as we walk out the door the phone rings and it is a sighting on a missing child. When sightings come in they must be handled immediately. Time is of the essence. It can't wait until the next day. We are dealing with a child's life and future. Even when we do go home we are on call and are available to return victim calls and sighting calls during the evenings, middle of the night, weekends, and holidays. Quite often letters to write or necessary reading or preparation for presentations are taken home to be worked on because there is not enough time at the office. Also many of our speaking engagements for community groups take place in the evening. Such is the life of the people in the non-profits. How long do you expect us to do this? Are we not entitled to a life with our families and a reasonable income?

I strongly dislike the term Private Voluntary Organizations (PVO's). There are hidden implications in this term. It is implied that we must be a volunteer or that we are required to be a volunteer for life, therefore we don't really need money for salaries only to pay other expenses. Also implied in the term voluntary is that we are not professionals, we may disappear tomorrow, or that we are independently wealthy and are only looking for some diversion in our lives. In other words we are taken for granted. We have been. But we are organizing and we do not intend to be taken for granted much longer. We are doing the work, finding the children, educating the public, and if you only fund politically advantageous programs that spend money and inadequately find children, the real workers will rebel. The non-profits have helped thousands of families and if the non-profits someday ask the parents to voice their opinion, the truth about who is doing all the work will be revealed. The rebellion is starting and it will not stop until the Missing Children's Assistance Act funds and helps those it was originally intended to help.

There are some common experiences that parents communicate to the Vanished Children's Alliance and other non-profits. These common experiences include little help from law enforcement and clearinghouses. Eventually parents develop a basic mistrust for law enforcement. By giving law enforcement more power and not empowering strong organizations to mediate between law enforcement and the families, you will create a situation in which there will be more missing children and more angry families. The

general public is slow to learn the truth. But be sure that as non-profits unite with victim parents this issue will balloon in a way that has not been seen to date. We, the pioneers in this issue, have been pushed around, taken for granted, and been thrown peanuts just one too many times. We are organizing, and we WILL be heard.

The reputable missing children non-profit organizations play a vital role as a "go between" between the searching parents and law enforcement. Sometimes searching parents are very emotional (and understandably so) and law enforcement seem unconcerned (usually just overwhelmed with so many cases). It is crucial to the return of missing children that there is appropriate communication between parties. Since we spend a significant amount of time talking with the searching parent, we often learn some facts that might be the key to solving the case. Because law enforcement is often rushed to get the information from the searching parent or because the parent was too uncomfortable to share the information with law enforcement the information is lost.

Parents who are the most likely to locate their missing children are the parents that are willing to do a lot of the leg work themselves. Non-profits assist parents in developing a plan that best suits their abilities and has the greatest chance for success. When you are the parent of a missing child frustration reaches the breaking point waiting for the police to call. Often due to the nature of law enforcement investigations parents are not informed about any leads in their case. Therefore parents often waste a lot of time, money, and energy pursuing information that is of no value. It is important that parents are kept up to date. It may be that specific details cannot be divulged but even general information is better than nothing at all. When we get a lead or sighting on a missing child registered with our agency, we immediately contact law enforcement, and attempt with some caution, to check out the information with the parent. After all, who knows their child, or ex-spouse in parental abductions, better than the victim parent.

It is not the intention of the non-profits to replace law enforcement but rather to work cooperatively with them. As a matter of fact, it is my hope that more and more agencies will work cooperatively as opposed to competitively in a joint effort to locate and protect children.

Cooperation can only be achieved if people within the non-profits, law enforcement, clearinghouses, social services, and the Government treat each other as equals with various skills and talents that are all vital to this cause. Unfortunately, setting priorities which count some groups in and others out, is not conducive to cooperation. For the non-receivers it creates anger towards those that receive. Those that receive develop the attitude that they are better and know more. Now I wish we all could be on the receiving end, because ultimately the children will profit. I do not believe there will be success until the founders of this cause (who have worked harder than anyone for the children and their families) are given their rightful place and their organizations receive PROPER funding.

It has appeared to me for quite some time now that there has been a systematic effort to eliminate the non-profits. I am not sure why. Perhaps we are too vocal and are considered trouble makers. Perhaps others take our materials and wish to pass the materials and programs as their own. Perhaps others are jealous of our success rate and the close

relationships en develop with parents. There also are efforts to pit one non-profit against the other in an effort to keep the non-profits from developing strength in numbers. Soon, if the majority of Missing Children Assistance Act monies go to fund the state and national clearinghouses and not properly fund the non-profits I know there will be rebellion. I have been involved in this issue too long not to see the handwriting on the wall. To some extent the fight has already begun. I have spent many a sleepless night trying to determine what I can do. I try in my own way to elicit cooperation between groups, with some small level of success. I do feel that being here today and having the opportunity to share my thoughts with you might also help in some small way. If you continue to not recognize the groups that made this movement of missing children possible in the first place I am so afraid the movement will be destroyed. Then what will happen to the children? There must be a concerted effort to help the non-profits. I believe if this is done, you will be amazed to see how much the non-profits can and will do to support clearinghouses and other programs that can potentially help the children. Many of the groups are distrustful at this point because they have helped law enforcement, legislators, the national and some state clearinghouses, etc. and what have they done in return to help the non-profits? The shoe is now on the other foot. You must show us that you support the good work we have done for such a long time.

I wish to address one by one some of the specific provisions covered in H.R. 586.

The findings of Congress are most interesting in Section 421 and I wish to comment.

Subsection (1) "State and local law enforcement agencies serve a vital role in the safe and quick return of missing children."

I agree that law enforcement should "serve a vital role" in this area but the reality is that it often does not. Frequently, law enforcement does not respond quickly and sometime not at all to legitimate missing children cases. Below are some quotes from parents as communicated to the Vanished Children's Alliance concerning law enforcement responses:

"Your child is not missing, you just don't know where it is" (the child was 3 years old)

"Leave him alone and he'll come home."

"Come back Monday."

"Your child isn't missing, she's somewhere in the twilight zone."

"Go see your attorney."

"We don't bother to take those reports."

"If your kid is in Texas, its bye, bye, baby."

"You made your bed, now lie in it."

"We do not intend to get involved in the child collection business." F.B.I. Agent

"Kick back and wait a couple of years until your "ex" settles down."

"Your child isn't missing, she's with her father."

"You're still young, you can have other children."

"If you had been a better parent this wouldn't have happened."

"We don't put these cases in the N.C.I.C."

"Don't call me, I'll call you."

"It took 32 hours to get the police to even take a report, and then I had to get hysterical first."

"It took three days for the police to come out and take a report, and they will run leads, but only if I supply them."

Subsection (2) "State and local law enforcement agencies serve as the initial contact point for parents of a missing child"

This too, is not always the case. The Vanished Children's Alliance has received numerous calls from parents of missing children who call us first. We then urge them to file a police report. We also receive lots of calls because law enforcement has turned away parents that had legitimate cases. Sometimes we call the law enforcement agencies encouraging them to handle the case properly. Sometimes we give the parents the proper Criminal Code Sections that apply to their particular case. Sometimes, if the case is local, we accompany the parent to the police station.

Subsection (3) "State and local law enforcement agencies have access to computers that can aid in quickly locating a missing child, and data accumulated on these computers can aid in research to specify the number of children missing each year."

and

Subsection (4) "State and local law enforcement agencies have at their disposal an advanced telecommunications system for working and cooperating with other law enforcement agencies."

Again we have run across many law enforcement agencies that did not have access to computers or advanced telecommunications systems, as well as others that did, but would not use them.

Section 423 concerning applications for grants. To qualify for grants a Missing Children Information Clearinghouse under its department of law enforcement, alone or in cooperation with other State agencies will:

Subsection (B) "educate parents, children, and community agencies and organization in ways to prevent the abduction and exploitation of children."

This is already being done. Our organization, as do many others, address those issues. These issues have been extensively addressed in the last few years. I see no need for the duplication of services.

Subsection (C) "provide public information to assist in

locating and returning missing children, including the distribution of a monthly bulletin to State and local law enforcement agencies with pictures and descriptions that will aid in locating missing children."

I have seen several monthly bulletins distributed by state clearinghouses which include pictures of missing children. This seems to be done more as a Public Relations tool than a tool to locate missing children. Any knowledgeable law enforcement agency knows that in most cases of parental abduction, the children are removed from the state. In which case a state bulletin will provide little help. In the few cases of stranger abduction if the children are not located by the time the bulletin is published and distributed, the children are most likely deceased.

Subsection (D) "publish a directory of other organizations, such as hospitals, medical clinics, and runaway shelters, that provide assistance in locating missing children."

The Vanished Children's Alliance has received several such directories. Again why reinvent the wheel? I also think it is noteworthy that non-profit missing children organizations were not included in the wording.

Subsection (E) "establish an in-State toll-free line to allow persons to report a missing child and be provided with information to assist in locating and returning a missing child as quickly as possible.

Many non-profits, as do we, have toll free lines both inter and intra state to do just as stated above. Also non-profits already provide parents with information to assist them in locating their children. We, at the Vanished Children's Alliance receive sightings on our toll free lines regarding leads on missing children. Why are we duplicating efforts?

Subsection (F) "cooperate with and act as a liaison for other public and private organizations to locate missing children."

I believe it would be much more effective to have some group that can mediate between law enforcement and the searching families to act as liaison.

Subsection (G) "work with the National Center for Missing and Exploited Children.

I am not sure what this means, I would like very much to see a clear cut definition. Again there appears much duplication of services. It sounds as though the National Center for Missing and Exploited Children will have direct control over the Department of Law Enforcement in each state that could potentially have clearinghouses. I have never heard of a non- profit, 501(C)3 having direct control over law enforcement!

There are many strong and weak programs within the missing children field. Efforts should be concentrated in making the strong programs even stronger. I do not wish to see tax dollars going into the duplication of services, programs, materials, or for the distribution of self serving public relations materials.

Much emphasis has been placed on photographs of missing children. Indeed, it is one of many ways to locate missing children. It is the only method that can be used publicly.

Most other methods must be used carefully and in ways that do not teach abductors and potential abductors how they could be located. Usually the most effective ways of locating missing children are the quiet ways. The same analogy applies to organizations involved with missing children. Sometimes the most effective groups are not the most visible.

I believe much valuable work has been done in the missing children field. Many potentially good ideas exist to solve this national tragedy. Unfortunately they look wonderful on paper, but paper does not find the children. People do. The people that represent the reputable non-profits need you NOW as they truly represent the needs of the missing children and their families.

In conclusion I make the following recommendations:

1) More money be appropriated toward the implementation of the Missing Children's Assistance Act and ADEQUATELY fund the approximately 25 non-profit child location organizations that existed prior to the public attention given this issue, and that continue to serve parents and children.

2) Establish funding priorities for newer non-profits that have met more stringent qualifications.

3) Establish and finance an independent advisory board to make funding decisions. The Board should consist of Peers (non-profit leaders that are familiar with the cause and the necessities of non-profits) and others experienced in the location, legalities, and psychology of missing children.

4) Empower qualified groups to act as liaison between the searching parents and law enforcement.

6) The advisory board should develop, within a reasonable amount of time, a plan that encourages cooperation and an exchange of vital information on missing children cases between the non-profits, law enforcement, clearinghouses and other appropriately agencies.

Thank you.

Serving America's Most Endangered Children
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The Vanished Children's Alliance is a national non-profit organization dedicated to the prevention and recovery of missing children. Missing children cases include parental abductions (registering parent/guardian must have legal custody), stranger abductions and runaways. The V.C.A. believes that every missing child is a potentially endangered child and must be found quickly and safely. Some staff members have up to ten years experience in the missing children field and some have lived the experience of having a missing child as well.

Services include registration of missing children, assistance in an attempt to locate missing children, support chapters for parents of missing children in a variety of locales, networking with various missing children organizations around the country, maintaining a referral list of reputable and knowledgable attorneys, private investigators, and therapists, 800 Hotline for sightings of missing children, expert witnesses available for court cases, training and awareness presentations on missing children issues and prevention techniques, and a quarterly newsletter on current activities, meetings, legislation, etc. Prevention literature and posters of missing children are available upon request

There is no charge to parents of missing children to register their missing children. Our services in an attempt to locate the missing children are free. A fee is requested for being an expert witness in court cases, prevention and training workshops plus travel expenses.

Our major source of funding is through donations. All donations are tax deductible. Through your donations the V.C.A. is able to provide the above mentioned services.

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Mr. KILDEE. Thank you very much.

Mr. Sutherland.

Mr. SUTHERLAND. I find myself in a very interesting procedural crunch. I have been rebutted before I had a chance to butt.

Mr. Rabun was dealing with material that was dated the ninth of this month. Perhaps after I am finished here with my material as of the 11th, he will want to come back with a butter dish.

Since you have identified me, I am one of five trustees of Search Reports, Inc., a New Jersey nonprofit organization now in its seventh year. The mainstay of our operations has been this, our "National Missing Persons Report," a publication which we put out as often as we can, distributing it without charge to a present mailing list of some 32,000 copies, going to law enforcement, medical facilities, and selected social services in all 50 states. It contains information on missing people, who have ranged in age from infants to octogenarians. It also has photographs and descriptions of unidentified dead. It is not a pretty piece of work, but it does a good job and has earned the respect, if not the use, of law enforcement across the country.

What we see, hear and do within our office operations can be quite different than simply putting out a publication with photographs and detailed information on the missing. Mostly we deal first hand with missing person problems, real, down and dirty, "what should I do now" problems where frustrations, desperation and existing system failures frequently force people to reach out and grasp at anything. Most of these folks have already gone down under at least once with a straw in their hand. They have already had 5 years worth of poodle-poop about millions of missing children, thousands of them going into unmarked graves each year. They know about that shop-worn practitioner of foul deeds, the trenchcoat flapping stranger and his partner in crime, devil worshiper, pornographers, baby sellers, you name it.

For the people we deal with all of that is very abstract. They want help with a particular problem that affects them, and that is exactly what I want to tell you about today: problems.

Mr. KILDEE. Mr. Sutherland, with your indulgence, the bells have rung for a vote over in the House. Mr. Lewis and I will go over. We will be back, I would say, in about 8 minutes. I hate to interrupt your testimony, but it is an important amendment on the drug abuse bill. So take a break.

Mr. SUTHERLAND. You have my permission.

Mr. KILDEE. OK. Thank you very much.

[A short recess was taken.]

Mr. KILDEE. The hearing will resume.

Mr. SUTHERLAND. No additional rebuttal, Mr. Chairman?

Mr. KILDEE. You may proceed.

Mr. SUTHERLAND. I believe I was at the point where we were dealing with people problems, and to get back into the flow of the thing, essentially the kind of problems we are dealing with are those that are not being solved by existing systems and what we, the nonprofits, have to deal with on a daily basis.

Let me start with a real story. It is intended to get your attention, to evoke your sympathy and generate a feeling of "we have to

do something about this." It has been a great technique in the past to influence legislators. Maybe it will do something with you today.

Mr. KILDEE. You can render us benevolent and anxious.

Mr. SUTHERLAND. I would appreciate that.

A noncustodial parent put the grab on two kids and fled the territory. A felony warrant was issued on the abductor so that extradition could be effected. A really fine police officer went to work on this case, and after an extraordinary amount of effort, made a location in a distant State. Law enforcement out there provided full cooperation. It was a sheriff's department, verified all of the information, and made positive identifications, although there had been name changes and a good deal of time had gone by.

Contact was made in that distant State in order to lay the foundation for legal process and the eventual return to proper custody. Sir, that court in that distant State refused to hear anything. UJJCA, the Parental Kidnapping Act, did not get results. The felon retains custody, and the two children remain totally untouchable.

My question: Would a State clearinghouse have helped this officer resolve the case? The answer is a resounding no.

This case comes directly from an existing clearinghouse that has been operating for about 4 years and really knows its business. The officer in this instance gave me the go-ahead to cite names and departments so that you can verify this story in greater detail if you want. I will do so on this and any other case that I cite. Information will be given to the subcommittee and its staff, but no one else. I do not intend to make a public spectacle out of individual cases or the families involved.

Mr. KILDEE. If we seek to have it, any such material given to us will be kept in the utmost confidence. We will counsel with the counsel and the staff director on that.

Mr. SUTHERLAND. In this particular instance, the officer is not the least bit interested in confidentiality. The case calls for lots of yelling and screaming.

The facilities and the system was in place on this case, all in good working order, only it did not work.

Now, how about cases where the odds are even worse, where missing persons fall through the cracks because no one cares enough or seems to be able to make an effort because of some sort of rules, regulations or some other convenient not-me approach?

Example. Back in January 1985, an 18-year-old was sent by court order to a State facility for stabilization and treatment of schizophrenia. He was a sick boy with two prior tries at suicide. A couple of weeks into treatment, he walked off of the grounds of the hospital and vanished. Ultimately his mother got in touch with Search to find out what could be done. Her son was still missing.

We immediately checked to see if there was an entry in the FBI's NCIC computer system. Nothing. And yet this boy was more than qualified for entry in the disability category because of his illness or the endangered section due to the history of suicide attempts, but there was no entry. The hospital had never reported the case to police in its area, nor had the court which had committed him followed up on the situation.

Despite the mother's pleading, the local police agency would not make out a missing person's report or a computer entry because the hospital had not notified them of the situation. Law enforcement in the mother's area was most sympathetic and promised to do all they could, but they would not initiate an action because the event took place in another jurisdiction.

That is where the mother was when she got in touch with us. She was nowhere. So we coached her on table pounding, how to scream effectively, and the operative rules of the NCIC entry system. "Go to work," we told her while we hit on everyone we could think of to embarrass someone into doing what was right.

It worked. An NCIC entry was made by the law enforcement agency in the hospital's area. Six days later that boy was identified through the NCIC by police in Mount Vernon, WA, and on April 8 of this year, he came home.

During the 14 months that this boy was wandering around the countryside, he was picked up by police on five different occasions. On one of those occasions, he was taken in and given a bed in the local jail because the police felt that he probably could not survive out on the street during the dead of winter. There he was, schizoid and suicidal, but not missing. He was not in the system. He could damn well have been in the unidentified section of the NCIC, and there he would have stayed had it not been for the stink that was raised and the eventual entry into the system. The mother would still be chewing her nails up to the elbow.

Let me ask this. Is this mother's ordeal worth anything less just because her son had passed the magical mark of 18? I do not think so. But the existing system and the proposed clearinghouse legislation does not offer much hope on cases like this. Although the boy was qualified for NCIC entry, such action was not mandated. It is optional. It is discretionary, and for all of the adult cases in the NCIC system, and it is about 15 percent of the total number of cases, we do not have the foggiest idea of how many others there should be.

I am sorry he is not here. I had a call from a woman in Congressman Coleman's district last week on a very similar situation. The local police had told the woman that her father was over 21, and he had the option of doing what he wanted. They were not going to interfere with his right of privacy. Sir, that was bull cookies. This man was just as sick as that 18-year-old boy is. Only in this instance his illness was immediately life threatening without certain medication that was being administered by the local hospital.

Again, we coached on what to do, and I assume it worked. The lady has not been back in touch.

Unlike cases involving minors, families do not have the option of going directly to the FBI to get computer entries on adults if they run into local walls, and if you vanish, Mr. Kildee, or you, Mr. McFarland, or I, no one has the obligation to lift a finger on our behalf. We are adults. We are entitled. All of the elderly in this country, the largest growth area of our population, those most prone to all sorts of disabilities have exactly the same right as you or I to go poof and not be reported as missing. Let me stress that.

Mr. KILDEE. Mr. Sutherland, Tom was wiser than I or more prudent than I. He stayed for the second vote and I did not.

I have to go over and vote, but, Tom, if you would take the chair, I will be right back.

Mr. LEWIS [presiding]. Continue, sir.

Mr. SUTHERLAND. All right. Let me add then, if you vanish tomorrow, Mr. Lewis, there is no obligation on law enforcement to report you as a missing person. You can disappear after today's hearing, and the legislation under consideration will not do a damned thing on your behalf.

Mr. LEWIS. I hope people would care though.

Mr. SUTHERLAND. People. Give that a good "think."

Part of the prepared testimony which you have contains a report from an inplace clearinghouse, and it deserves your attention because it specifies all of the cases which have been logged in. They show 20 percent of their case load as over 18, and that is above the average level for adults in the NCIC system. That should tell us all something, but to date it has not.

Children, those under 18, represent approximately 10 percent of the volume of unidentified dead in the NCIC system. Those between the ages of 18 and 26 or 27 are the overwhelming bulk of the unidentified dead, and the proposed legislation does not help them either.

Gentlemen, our house is not in order under the current systems, management and priorities. We have rushed into legislation to protect children as a response to public reaction, largely over false numbers and contrived presentations.

Now you are considering yet another strata of service without having seen a mandated incidence study called for in the Missing Children's Assistance Act, funded by the same people who were supposed to provide the study, and in cooperation with a private nonprofit, the National Center for Missing and Exploited Children, also funded by the same source.

I cannot support that, and Lord knows, I do not want children to be abducted, exploited or harmed in any way. I want to see people helped.

One last example from real life that should explain the lack of confidence and perhaps downright hostility toward the existing system, the National Center, and possibly even the extension of its influence through your bill, Mr. Lewis. Now we get into the area where I was rebutted before I butted.

Briefly, after a divorce and temporary custody, a mother left the territory in violation of a court order and the father's rights of visitation. A civil warrant was issued, and the missing child was entered into the NCIC system. A civil warrant, of course, is about as welcome as an attack of acne in 49 other States.

In the meantime, the father went back into court and obtained full custody based on the mother's flight.

The FBI could not participate, of course, because the warrant was civil rather than criminal, but we do have a missing child in the NCIC, and section 403 of the Missing Children's Assistance Act covers that situation, too. But as we heard today, missing "but."

The National Center has case information, but there was a problem. Under the Center's protocol and some of the contracts which Mr. Rabun explained, there will be no circulation of a child's photograph without a felony warrant, which in this instance no one

was going to issue. No picture of the boy on Advo-System mailing cards, on cat litter bags, spaghetti boxes, milk cartons or supermarket bags, nothing. Protocol.

Fortunately the child's photograph was shown on a program rerun of the "Donahue Show" in the State of Oregon just a few days ago, and the boy was recognized by a teacher who had him as a student under a different name. As best I can tell at this point, she called the school police who called the Portland, OR police, who checked the NCIC and acted on the missing child entry.

Now, here is where the slapstick comedy begins. Someone at this level—I do not know who it was—notified the National Center, which was not acting on the case, and they supposedly notified the department of record, Fairfax, VA County Police, which was also not active because they had a civil warrant, not a felony to deal with.

At the last report I had yesterday, the department of record had no information of contact from the Center. Maybe they have caught up on that one by now. I do not know. In any event, some private nonprofits knew about the location and immediately jumped in to prevent the child from being released to his mother, which was an immediate threat, and they let the father know what was going on.

As of this moment, the National Center nor the agency of record has yet to notify the father of the location of this missing child. He will be going to Washington tomorrow and going into court in an effort to obtain his rights of full custody under the laws of the State of Virginia.

What happens when the private nonprofits check with the Center for case information? Nothing. The Center has another protocol. They will not release information on sightings to the nonprofits. Yet this particular sighting did not originate with the National Center. It originated as a result of the "Donahue Show." Where the fine line legally is, I do not know. The same protocol says that the Center will not release the information to the family. It will only release it to the agency of record. Wonderful. The only people doing anything for this father, and he, himself, cannot be told a thing.

Fortunately there was enough going on on the outside to ensure that the father will get his chance tomorrow. In the meantime he has quite literally gone broke trying to find that missing son. He has absolutely no use for a booklet that was cooperatively produced by the Center and the American Bar Association. Do not tell him about protocols and deny him minimal assistance and deny him the information, when the handy-dandy all-purpose answer to missing kid problems manages to get a lead from a source that they had nothing to do with.

And above all, do not show the father claims by the Center about what a wonderful job they have done on his behalf in cooperation with the agency of record, when they did not lift a finger.

Let me pause for a minute. I am a little annoyed.

I know of photographs of three kids, supposedly abducted by nonfamily members, presently in circulation around the country. They were not abducted by anyone, much less someone outside of the family. I mention these three, and there are more, and I will give

you the present data, again, to the subcommittee and its staff, because it requires almost no effort to verify what really happened. Tragedies, indeed, in all three cases rather than what the picture distribution clearly implies.

The officer involved will cooperate.

Sirs, that is your role model for State clearinghouses. If you want to deal with the status quo of almost total focus on a small percentage of the problem while a major percentage goes sliding by, stay right on course. Sir, your legislation is in hand. It does that.

At the moment, we do not have anything approaching uniformity in child custody and protection laws. That wonderful NCIC System does not see a fraction of the cases that should be in it, and in my view, the National Center has not come close to the expectations we all had for it, and I feel strongly that the Department of Justice should take a very hard look at the entire system of dealing with missing people, including the Center.

Despite my inherent support of the concept of clearinghouses, the idea of National Center clones around this country appalls me. Let's get our act together with what we have, not throw another expensive Band-Aid at a mortal wound.

Thank you.

[The prepared statement of Charles A. Sutherland follows:]

Prepared Statement of Charles A. Sutherland, Trustee, Search Reports, Inc.

Mr. Chairman, Members of the Subcommittee on Human Resources, I thank you for the opportunity to address this hearing and present my organization's views on proposed legislation to expand existing systems to help locate and return missing children to their homes.

That we have a problem has been patently obvious for a long time.

That we need new solutions or better use of existing systems seems equally obvious.

Now you must decide if State Clearinghouses for missing children provide that new answer or enhance the utility of what already stands in place. So let me briefly review what has brought us to this point.

For some five years everyone was bombarded with television programs, stories in print and many individuals telling us about the horrendous things that were happening to children in staggering numbers. Millions reported missing every year. Thousands going into John and Jane Doe graves annually. Fiends in their flapping trenchcoats making off with children who were never seen again. Vile and disgruntled parents grabbing kids and scuttling off to hide away to extract revenge on an ex-spouse.

We've also been told that Devil worshippers, members of weird religious cults and other assorted low-lifers have been snatching children off the streets for a variety of terrible reasons.

A choice article in a publication called "Aryan Nation", distributed by some of our home-grown Nazi-types, the claim was made that 50,000 children were being abducted each year by Wizards....that's the label they used....and Jewish queers. Again, their designation.

Most of what we saw and heard was pure drivel. A good deal of it was the confabulation of meaningless numbers, bits of this and that or something someone could attribute to any kind of reasonable source. The bulk of it was spewed out for pure shock value and the advancement of a specific cause or agency. To a certain extent it was beneficial in that it called attention to a major problem, even if the particular focus was totally out of whack. Unfortunately, it so warped the public perception of what was really happening in the country that the clamor for action precipitated a series of would-be solutions before the problem was clearly defined for appropriate action.

That has not changed very much. The overall problem of what happens to kids and who they are remains amorphous, we still have grimy, shop-worn statistics on kids reported missing each year that neglect to tell us how many come home on their own within a matter of hours and we have a batch of contrived solutions that were created almost by popular demand, not by the nature of the problems.

Now, Gentlemen, I am going to indulge in one of the favorite techniques used in the past to generate a reaction on the part of legislators. I am going to tell you a story from real life, imply that it represents the tip of an iceberg and infer that only you can offer redress, justice or correction. It worked before, why not again?

A non-custodial parent abducted two children and promptly whisked them out of their home state. A felony warrant was issued on the abductor so that extradition could be effected upon location.

Thanks to the diligence and extraordinary effort of a dedicated Police Officer, the abductor and children were finally located in another state. Law Enforcement personnel in that distant state provided full cooperation, verifying information and confirming the identity of those being sought although name changes had made for a difficult, time-consuming case.

The Officer immediately took full information on the situation to the local prosecutor's office, where cooperation and interest was a good deal less than enthusiastic. However, contact was made with the appropriate Court in the distant state to lay the groundwork for proper recovery of the children and at least the detention of the abductor.

Gentlemen, the Court in that distant state refused to honor the prior custody order and the warrant. It refused to consider alteration of the current custody status of the children under provisions of UJJCA, the Parental Kidnapping Act. The felon retains custody and the two abducted children remain totally untouchable.

I will not repeat the Officer's language used in describing this case to me. As you might well imagine, it was colorful and not at all thankful for instant-answer legislation now on the books to deal with this type of case and are simply being ignored.

Now I would ask you if a state clearinghouse would have made any difference?

The answer is an emphatic, "No." This story comes directly from an existing clearinghouse that has been in place and functioning well for about four years.

The Officer who worked on this case from the beginning through location and the dismaying end when all efforts went down the drain has given me the go-ahead to cite names, agencies and provide you with direct access for a first-hand confirmation of what happened.

Moreover, any case that I mention in this testimony can be confirmed with those who have direct contact or a close working background with the situations cited. I will be glad to provide the information to members of the Subcommittee and its staff. No one else.

With "Search" now into its seventh year of operations and having earned its relationships with Law Enforcement around the country through straight talk, non-evasive attitudes, as well as a willingness to work within the system, we have learned a great deal and know full well the limitations imposed on Law Enforcement personnel. When we talk, we speak as friends.

As friends we agree that existing systems and services of proven worth have not been utilized to their full extent and that glaring failures to take advantage of them on behalf of the public can be found everywhere. Appendix "A" to this testimony will show you an example of this. Appendix "A" gives you a state by state analysis of use of the NCIC missing persons catagoy as of June 1985. No question that some of the statistics will be "stale dated" at this time, due, primarily to changes in certain state's laws that now mandate entry into the FBI's NCIC computer system under certain conditions. In other instances, the 1986 data for certain states will reflect significant changes as major Police Departments that heretofore did not use the system have now come on-line.

Be that as it may, the utilization of the system has yet to reach a level of entry that would provide user agencies with the kind of working tool that NCIC can be. Law Enforcement agencies that do not use this system bear responsibility for this severe failure.

At the same time, let me point out that the blame for failure often lies less with the agencies than with that bane of all services: dollars. Many states which show below normal utilization of the NCIC system as shown on Appendix "A" simply do not have enough computer terminals to handle the load of all NCIC entry functions. Which, in turn, means that they cannot make use of the system as an investigative tool to the extent that would be desired.

Based on current data, better than 90% of all day-to-day entries into the NCIC system will be juveniles, "runaways" (a term which I don't like to use but which has common currency) and they will be yanked out of the system almost at the same pace that they go in. For Departments covering large populations, this has meant a near grid-lock on terminal usage.

And to carry this situation one step further, with NCIC utilization less than ideal on cases involving minors, what happens to situations involving adults who could and should be in the system?

Plain and simple, far too many cases never get entered. And if you believe that a missing non-minor causes any less anguish to a family, then let me tell you another true story.

Back in January of 1985 or thereabouts, an 18 year old was sent by Court order to a state facility for stabilization and treatment of schizophrenia. He was a very sick boy with two suicide tries prior to hospitalization. A couple of weeks into his treatment he walked off the hospital grounds and vanished. Fourteen frustrating months later his mother got in touch with "Search" to find out what could be done.

We immediately checked with a Police agency to determine if an NCIC entry had been made. There was none.

For your information, this sick boy more than qualified for entry under the adult catagory of "Disability" due to his mental difficulties and even in the "Endangered" classification because of his history of attempted suicides.

Qualified does not mean mandated, Gentlemen. He could be entered at discretion.

In this instance discretion was never exercised. Despite the fact that hospitalization was ordered by the Court, the facility never reported the young man as a missing person! Try as the mother of the boy might, she could not overcome the inertia of a non-reporting hospital and a Court which did not monitor the case for its outcome after the ordered period of treatment.

Law Enforcement in the hospital area was sympathetic but had no missing persons report to work with. The same attitude applied in the mother's home ground. The Law Enforcement people were willing to do what they could but the case had originated outside of their jurisdiction.

We coached the mother in table pounding, bellowing and the operative rules of NCIC entry. Then we fired off letters to everyone we could think of, calling the plight of this mother and son to attention in exquisite detail. It worked. An NCIC entry was made by the agency in the hospital's area.

Six days later he was picked up on the streets of Mount Vernon, Washington, sent to a local hospital and identified. On April 8th of this year he came home.

During the fourteen months that he was out on the road, this young man was picked up by Law Enforcement personnel on five different occasions. Once, he had started a fire to keep warm during the dead of winter and local Police brought him to their jail to shelter him. But he was never a missing person! Schizoid and potentially suicidal but not missing.

Until this situation was brought to our attention, this boy could very well have been an entry in the NCIC unidentified dead files and no one would ever have known who he was. Thank heavens we were all lucky on this one.

Now let me ask you if this mother's ordeal means any less because her son passed that arbitrary magical mark of 18 years of age? I don't think so. But much of the existing system and proposed Clearinghouse legislation does not promise one bit of change. Had it not been for the stink that was raised, the boy could still be wandering the countryside or dead and the mother still chewing her fingernails to the elbow.

This is no hand-picked, isolated example. For all of the adult cases presently in the NCIC system, we don't have the foggiest notion of how many others have slipped by simply because the missing person was over 18. We don't know and a Clearinghouse for missing children will not contribute on whit of information. At this point we can only safely say that 15% of the national total of entries in NCIC cover adults.

However we do know that the overwhelming percentage of unidentified bodies in the records of NCIC fall into the age group of 18 to about 26 or 27 years of age.

Doesn't that tell us something?

It should although we still have those who continue to tell us about the thousands of bodies of unidentified children who can be found around the country.

As I just mentioned, the proposed Clearinghouse legislation will not have any impact on this nation's young adults. Certainly not as so written or with funding in the hands of those presently designated to control the the use of Federal dollars and who will set the ground rules.

I wish that Congressman Coleman could have listened in on a phone call that we received last week when a frantic woman called to ask if we could do anything about finding her father, a man in his mid-50's. The man had gone for a walk and vanished off the face of the earth.

Contact with local Police had been totally fruitless. The woman was told that her father was an adult and could come or go as he pleased. They had no intention of tampering with his right to privacy.

What bull cookies!

With a minimal amount of questioning we were able to learn that the missing man suffered from severe liver and kidney ailments. He was under physician's care and receiving special medication for his problems in a program administered by the Veteran's Administration.

As with the previously mentioned case, this lady was coached in how to go back to the Police, raise hell and insist upon immediate entry of the case into the NCIC system. She was also primed for the alternative of making an identical request at her County Sheriff's Department if she was not able to get results from the Police. We assume that our suggestions worked because there has been no call-back from the lady.

Unlike cases involving minors, a family does not have the option of making direct contact with the Federal Bureau of Investigation to get direct entry of an adult case in the NCIC system. The missing person can be mad as a hatter, in a wheel chair, dying or so predictable that being missing is totally incongruent and immediately suspicious. That doesn't mean that the situation has to be dealt with as a missing persons case.

If you vanish no one has the obligation to do a thing. You're adults. You're entitled. Never mind the reaction of your family or what might be happening to you. You don't have to be considered missing. Nor do I if something takes place on my way home from these hearings. Now consider the proposed Clearinghouse legislation in that light.

The elderly, our country's largest population segment and the people most prone to physical or mental disabilities that can place them at risk, have the very same dubious right as you and I do. We can go poof without anyone being compelled to consider our situations.

Our house is not in order under current systems, management and priorities. We rushed into legislation on children's protection as a response to public reaction over flase numbers and contrived presentations. We geared up for sensationalism, not people.

Perhaps Appendix "B", attached, will help to give you a more balanced picture of what goes on in the real world. I make no particular claim for this report save that it comes from an in-place Clearinghouse and it details what they have dealt with. Note, please, the 20% case load for adults. While this is above the national average in NCIC by about 5%, keep in mind what so often befalls adult cases and their lack of appropriate attention.

I should add that the enabling legislation for this particular Clearinghouse clearly says, "The Center may (emphasis added) utilize the Federal Bureau of Investigation/National Crime Information Center's missing person computerized file.....". Not will, may. And the legislation says nothing about local usage of the system before information reaches the Clearinghouse.

I have no doubt that enactment of the proposed Clearinghouse legislation would be a popular, easy move. From what I've seen, public perception of missing children problems have not caught up with recent disclosures of outrageous exagerations, the use of single episodes to imply that Attila the Hun was on the loose again and the continued, misplaced emphasis on stranger-danger. The proposed H.R. 604 adds yet another layer of service duplication to a system that presently does not do all that well in serving the real needs of people, young and old. We have yet to see the mandated National Incidence Study that was included under the Missing Children's Assistance Act that would, I believe, have considerable bearing on what is really the problem and what the response should be.

I see nothing in this legislation which encourages clear definitions, appropriate models or tempers the inclination for self-justification in order to perpetuate a structure and operation that may be totally redundant, or worse, prone to bump numbers to prove its value and importance.

I am thinking of three very specific cases, still being shown around the country as "abductions by nonfamily members" which have been thoroughly investigated and established as anything but abductions by those outside the family. I know of others but these three require the least explanation and can be verified quite easily.

I specifically invite the Subcommittee members and their staff to request data on these cases and where they can be checked out.

I am equally concerned with wording in H.R. 604, Section 423(b)(1)(B) which calls upon Clearinghouses to "educate parents, children, and community agencies and organizations in ways to prevent the abduction and exploitation of children;"

Lord knows I don't want children to be abducted, exploited or harmed in any way.

But it becomes terribly frustrating to keep waving mounds of documentation and year's of accumulated studies that clearly demonstrate that the abducting, the exploiting and the sexual abuse of children lies within spitting distance of the home or right inside it.

If I had the power to do so, I would force this Subcommittee and everyone else in this country to listen to a series of half-hour broadcasts that were aired on National Public Radio's award winning program "All Things Considered". These segments were called "The Crime of Silence" and dealt with sexual exploitation of children in their own homes by family members, relatives and friends of the household. They were not pleasant broadcasts but they certainly were revealing. That adults who were child victims were still suffering could not have been more obvious.

Certainly any service provider to youthful runaways can recite histories of kids who fled from exactly this sort of thing.

If you want to deal with 10% of the problem, stay right on course. Let the other 90% slide by just as we ignore the plight of those whose missing condition never sees the light of day or has anyone save the most dedicated Law Enforcement Agency or private non-profit service lift a finger on someone's behalf.

Now, Gentlemen, one last story that should go a long way in explaining the lack of confidence or downright hostility on the part of private non-profits towards the National Center for Missing & Exploited Children and the prospect of seeing a batch of clones operating around the country.

Since this case has been developing almost hour by hour, the telling may not be right up to the moment. However, as details unfold, there has been a continual up-dating of the Subcommittee's Counsel.I have no doubt that this case will be a critical one in the Member's deliberations and decisions. I feel strongly that it must be because it so typifies what the non-profit services have been legitimately complaining about since the inception of the National Center.

After a divorce, a mother having temporary custody of a small boy fled the Commonwealth of Virginia. She was under Court order not to leave the jurisdiction. She was also blocking Court ordered visitation by the boy's father.

After making off in August of 1982, the Law Enforcement having territorial jurisdiction issued a misdemeanor warrant on the absconding parent and the boy was entered into the NCIC system. The warrant, because of its minor nature, had about as much value as an attack of acne in 49 other states.

However, because of the violation of Court orders, the father was then granted full custody of the child. How little that was worth!

Since the warrant was civil rather than criminal, the FBI could not participate in the case as an Unlawful Flight to Avoid Prosecution. There was seemingly no inclination to change the warrant from civil to criminal.

But we do have a missing child. We have the NCIC entry to establish that fact. Section 403 of the Missing Children's Assistance Act covers the situation, too.

Even the National Center for Missing & Exploited Children has information on the case. There's only one problem there. According to Center Protocol, there will be no assistance in the form of circulation of the child's photograph. No Advo-Systems mailers, no photograph on spaghetti boxes, milk cartons, cat litter bags or supermarket grocery bags. No Nothing.

A missing child, but...

Fortunately, the child's photograph was shown on a program re-run in the state of Oregon and recognized by a teacher who had a child who appeared to be the missing boy, but under a different name. As best as I am able to piece the parts together at this point, the teacher called on her school police who, in turn, contacted the Portland, Oregon Police Department. They apparently made an NCIC check, confirmed the case and made a pick-up of the child.

Now things get murky. Somewhere along the line, the National Center was notified and they say that the agency with jurisdiction in Virginia was notified. As of this moment (9/9/86) the local Law Enforcement agency seems unable to locate any record of a contact from the National Center.

Now the Center has another interesting Protocol. They will not release informat-

ion on sightings to non-profit agencies. Marvelous! Almost since the inception of this case the non-profits have been the only people doing anything about this case. To top it all off, that same Center Protocol will not permit notifying the family of anything concerning activity on the case. They will only notify the agency of record. And in this instance that means very little since that Department has nothing to work with in terms of a warrant of sufficient muscle.

Fortunately there has been sufficient calling and other activity on the part of people other than the National Center to have the child held in Oregon in foster care under the auspices of Protective Services. The father will be flying to Oregon on Friday for a Court hearing to determine the disposition of the case.

The father of this boy has quite literally gone broke trying to find the missing boy. He does not need a cooperatively produced booklet from the Center and the American Bar Association. He certainly has no use for Protocols that deny him minimal assistance and then deny him information on his missing child when the Handy-Dandy, All-Purpose answer to missing kid problems manages to get some data second hand.

Sirs, that's your role model for State Clearinghouses. Funding will come from the same source that has provided better than $7,000,000 up until now and been the overseer of the National Center.

Up to now I have been critical of many things about the National Center but not opposed to them. I no longer feel that way. And despite my inate belief that State Clearinghouses would be an excellent idea, I cannot support the present legislation.

I believe that the Department of Justice should step in and review all of the existing systems, including OJJDP and take a hard look at the way funds have been allocated. I do not believe that the Center has lived up to the expectations most of us had for it and that cloning it around the country would be at all in keeping with the initial intent of the Congress.

We have had too many quick fixes. UCCJA, MCAA and now the proposed H.R. 604.

We don't have uniformity in child custody and protection laws, we lack cohesive use of NCIC and we have too many existing gaps in dealing with known problems. Let's get our act together before we do anything else.

Thank you for your time.

NCIC UTILIZATION

APPENDEX "A"

STATE	1985 POPULATION	ACTIVE NCIC CASES	STATE POPULATION RANK	NCIC ENTRY RANK	NCIC UTILIZATION FACTOR
Alabama	4,004,435	235	22	30	0.586
Alaska	514,819	230	50	31	4.467
Arizona	3,086,827	1,095	29	14	3.547
Arkansas	2,345,431	55	33	40	0.234
California	25,816,590	3,537	1	2	1.370
Colorado	3,253,425	1,435	28	10	4.410
Connecticut	3,160,280	507	25	21	1.604
Delaware	605,711	58	47	39	0.957
D.C.	621,256	63	-	-	1.014
Florida	11,071,358	4,734	7	1	4.275
Georgia	5,878,225	371	13	22	0.631
Hawaii	1,050,270	25	39	49	0.238
Idaho	1,004,071	47	41	41	0.468
Illinois	11,502,433	1,921	5	6	1.670
Indiana	5,489,287	660	12	18	1.202
Iowa	2,894,273	268	27	27	0.925
Kansas	2,453,481	175	32	34	0.713
Kentucky	3,747,769	346	23	24	0.923
Louisiana	4,553,903	240	19	29	0.527
Maine	1,156,539	21	38	47/48	0.181
Maryland	4,342,562	984	18	15	2.265
Massachusetts	5,764,125	2,807	11	5	4.869
Michigan	8,992,766	1,529	8	8	1.710
Minnesota	4,199,749	637	21	19	1.516
Mississippi	2,623,069	114	31	37	0.434
Missouri	5,004,162	710	15	17	1.418
Montana	826,933	24	44	46	0.290
Nebraska	1,606,779	160	35	35	0.995
Nevada	933,451	192	43	33	2.056
New Hampshire	980,841	31	42	44	0.316
New Jersey	7,509,625	1,752	9	7	2.333
New Mexico	1,446,347	115	37	36	0.795
New York	17,676,828	2,913	2	4	1.647
N. Carolina	6,178,329	283	10	26	0.458
N. Dakota	692,027	21	46	47/48	0.303
Ohio	10,763,309	1,369	6	12	1.271
Oklahoma	3,427,371	244	26	28	0.711
Oregon	2,680,087	1,409	30	11	5.257
Pennsylvania	11,895,301	1,321	4	13	1.110
Rhode Island	958,151	347	40	23	3.621
S. Carolina	3,321,520	210	24	32	0.632
S. Dakota	705,027	30	45	45	0.425
Tennessee	4,723,332	312	17	25	0.660
Texas	16,384,800	3,415	3	3	2.084
Utah	1,684,942	103	36	38	0.611
Vermont	529,396	14	48	50	0.264
Virginia	5,642,183	770	14	16	1.364
Washington	4,366,248	1,485	20	9	3.401
W. Virginia	1,968,969	44	34	42	0.223
Wisconsin	4,792,115	604	16	20	1.260
Wyoming	534,744	41	49	43	0.766
NATIONAL	236,365,566	40,013	-	-	1.693

1985 Population derived from Census data and Dun & Bradstreet. State and National Utilization Factors derived by dividing population into entry totals, providing a "benchmark" figure for use in comparison of system use and nothing else.

APPENDEX "B"

CASES REPORTED TO NORTH CAROLINA CENTER FOR MISSING CHILDREN
AND CHILD VICTIMIZATION
March 18, 1985 - June 9, 1986

TOTAL # MISSING PERSONS, REFERRED	434
TOTAL # MISSING PERSONS 18+	87
TOTAL # MISSING PERSONS UNDER 18	347
TOTAL # VICTIMIZATIONS	4

DATA FOR PERSONS UNDER AGE 18

TOTAL # OUT-OF-STATE		51
TOTAL # VOLUNTARY MISSING REPORTED		215
# Voluntery Missing Located	197	
# Voluntary Missing Outstanding	18	
TOTAL # PARENTAL ABDUCTIONS REPORTED		75
# Parental Abductions Located	51	
# Parental Abductions Outstanding	15	
# Parental Abductions Indirectly (no custody order established)	9	
TOTAL # STRANGER ABDUCTIONS REPORTED		1
# Stranger Abductions False Report	1	
# Stranger Abductions Located	0	
# Stranger Abductions Outstanding	0	
TOTAL # NON-STRANGER ABDUCTIONS		3
# Non-Stranger Abductions Located	1	
# Non-Stranger Abductions Outstanding	1	
# Non-Stranger Abductions Murdered	1	
TOTAL # REASON OF ABSENCE UNKNOWN		2
(Sidden Case 1982)		
VICTIMIZATION REPORTS		4
Total # Physical	3	
Total # Neglected	0	
Total # Sexual	1	

Mr. LEWIS. Thank you, Mr. Sutherland.

We will now hear from Ms. Barbara Rachelson, who is the executive director of the Michigan Network of Runaway and Youth Services from Lansing, MI.

Ms. Rachelson.

Ms. RACHELSON. Thank you, Mr. Chairman and members of the subcommittee.

My name is Barbara Rachelson, and I am the executive director of the Michigan Network of Runaway and Youth Services. I would like to thank you for inviting me to testify before you today on H.R. 604 regarding the development of State clearinghouses to locate missing children.

My organization represents the 27 programs serving runaway children and their families in Michigan. Our programs provide free services, which include short-term shelter for runaways, counseling, and support groups for youths and parents. Services are voluntary. Parental permission for sheltering runaways is required, and family participation in counseling is strongly encouraged and an important part of our work.

The purpose of H.R. 604 is to provide a network of State clearinghouses with the aim of finding missing children who would not be located through the use of existing resources. How often could we expect to succeed in finding such children? Perhaps we should not ask this since the life of a child is priceless, and if a clearinghouse effort succeeds in finding even one missing child, it is worth the expense.

It is callous to suggest otherwise. It would be equally callous, however, to turn our backs on any one of the thousands of homeless children in our country or of the million and a half runaways who, for whatever time they are alone on the street, may fall victim to crime, commit suicide, resort to drugs or prostitution in order to survive.

Today I plan to focus my attention on the impact that H.R. 604 would have on these runaway and homeless children. The bill as it is presently written fails to specify whether Congress intends to include runaways in their definition of missing children.

I would like to draw your attention to part 1 of section 403, title IV of the Juvenile Justice and Delinquency Prevention Act, and in particular, part V, which says:

> The term "missing child" means any individual less than 18 years of age whose whereabouts are unknown to such individual's legal custodian, if the circumstances of the case strongly indicate that such individual is likely to be abused or sexually exploited.

This language could be interpreted to mean that a runaway would be deemed likely to be abused or sexually exploited merely by virtue of the fact that the child is a runaway, and because this language could be interpreted in this way, it is likely that it will be interpreted in that way in some cases.

Parenthetically, I might add that in addition, part A of the same section reads:

> A child will be deemed missing if the circumstances surrounding such individual's disappearance indicate that such individual may possibly have been removed by another from the control of such individual's legal custodian without such custodian's consent.

This section could be interpreted to include runaways as well because even in a case where it is strongly indicated that the child ran away, it is still possible that the child has been removed from the parent's control by another, and since both sections could be interpreted to include runaways, we must consider whether or not this would be desirable.

Either way, it ought to be clarified. We need to make it clear whether or not runaways are to be included in the definition of "missing children" so as to avoid leaving it up to individual interpretation.

I strongly recommend that runaways should not be included under the provisions of H.R. 604 and that the bill be amended to so specify.

I would also like to call your attention to title 3 of the JJDPA, the Runaway and Homeless Youth Act, where in section 302, the findings, this committee has passed law that says:

> The problem of locating, detaining and returning runaway children should not be the responsibility of already overburdened police departments and juvenile justice authorities.

Like abducted children, runaways are vulnerable. Running away is a frightening and often devastating experience for a youth. When a child runs away, the child's attention is usually directed at his or her desperation and not on a rational solution to his or her problem. These kids are running from something, not to anything.

In many cases, the only situation more frightening to the child than the uncertainty of the streets is the certainty of the abuse that faces them at home. Our statistics indicate that more than one-third of the children who have come to our runaway programs report that they are being abused at home and that that is the reason for their running away.

The disappearance of a child is also a terrifying ordeal for a parent. In some cases the parent might not know if their child has been abducted or has run away. In either case, many parents fear for their child's safety, and this fear is legitimate.

Because of our concern about the safety of runaway children, there are two main questions that we must consider in conjunction with the scope of this bill. They are: will the inclusion of runaways in a clearinghouse help us to find them; and will finding runaways help them as a general rule?

First, let's examine the question of whether including runaways will help to find them. Last year in Michigan, our runaway programs alone contacted approximately 21,000 runaways. The Michigan State Police have conducted studies on missing children for the last 3 years, from 1983 to 1985. During each of those 3 years, they had reports of between 2 and 4 abductions by strangers each year, and fewer than 100 parental abductions.

Now, consider the tremendous difference the inclusion of runaways would mean in a State clearinghouse. Not only would it necessitate constant revision and updating of the data on runaways, since every day in Michigan dozens of children run away and return home, but it would also dilute the efforts to find kids who have been abducted.

For example, in section 423 of H.R. 604, section C mandates that the clearinghouse would provide public information to assist in locating and returning missing children, including the distribution of a monthly bulletin to State and local law enforcement agencies with pictures and descriptions that will aid in locating missing children.

Visualize the bulletin containing pictures and descriptions of 100 children. Law enforcement agencies would be able to be well informed about these cases. Now, imagine the same bulletin containing upwards of 17,000 pictures and descriptions. It would be virtually impossible to be knowledgeable about all of these children.

Now, I want you to add the further complicaton that each day dozens of these children run away, as I mentioned, and dozens return home. The bulletins would become obsolete as soon as they are printed. The scenario I am imagining is one in which parents contact the police to inform them that their child is missing. The parent gives the description to the police officer of what their child looks like, and the police are likely to have 1,000 pictures that match those same characteristics.

Since the inclusion of runaways would hamper our efforts to find any children, valuable time might be wasted in finding an abducted child when every minute could count in safely returning the child back home.

These numbers would be much higher on a national level. Therefore, it is inconceivable to me that these bulletins, if they included runaways, could have much value.

Second, and very importantly, we must consider the fact that in Michigan it is still against the law to run away from home. Sanctions for breaking this law vary from county to county and include jailing or locking up youth in detention facilities, notwithstanding Federal policy to the contrary. Last year, in 1985, in Michigan we had 804 runaways held in police lockups. Three hundred were detained in juvenile facilities, and 24 of these children were placed in adult jails. An additional 564 runaways were detained in public or private facilities for violating court orders stemming from their having run away.

Although these numbers represent a significant improvement over the situation since 1974, before the adoption of the JJDPA, of which this bill would form a part, they are still too high. It is very likely that these numbers will go up as law enforcement gets more involved in the search for runaways.

The policy for detaining runaways results in runaways coming to fear detections by law enforcement, and although runaway children fear detection, it seldom works as a deterrent in keeping kids home. Many are willing to take the risk of being locked up rather than live in homes with abuse and other serious family issues.

If we implement a systematic statewide hunt for runaways without changing the law that makes running away from home a crime, it is inevitable that runaways will work harder to avoid detection. In effect, we would be driving more runaways underground and encouraging an adversarial relationship with the police. In doing so, we may inadvertently drive runaways into the hands of the people who are most likely to exploit them, who could offer them shelter and an opportunity to avoid detection in exchange for

their involvement in pornography, prostitution, drug sales or other harmful activities.

For these reasons, it is doubtful that including runaways will help us to find them. Therefore, we advocate against the inclusion of runaways in this bill. In any case, it is not clear that finding these runaways and homeless children would benefit them or their families.

The second question we must address, therefore, is whether finding runaways will help or harm them as a general rule. To answer this question, we must examine what will be done with the runaway child once he or she is found since the problem does not end with finding them.

What is done with the runaway or homeless child when they are picked up by the police? At present there are three alternatives. One choice is locking the child up in an adult jail, a juvenile detention facility or police lockup. As you all know, these options are expensive. They provide no support or services to these children or their families and result in the children's introduction to the juvenile criminal justice system, including exposure to adult criminals, to delinquents, and there is an increased risk of suicide.

According to a national study conducted by the University of Illinois Community Research Center, the suicide rate of juveniles in an adult jail is five times higher than that in the general population.

Furthermore, locking a child up is perceived by the child as punitive at the time when he or she is crying out for help, and while detaining the child under lock and key insures that the child will not run away while being detained, it cannot guarantee that the child will not run again after the detention is over. In any case, statistics in our runaway programs indicate that less than 5 percent run from our program, where the doors are never locked and the runaways are free to leave if they choose.

A second alternative is to bring the child back home once he or she is found. While this choice sounds attractive, is well intentioned, and will frequently address the parents' concern, it can have substantial drawbacks. Merely returning a runaway child home does not solve the problem. All of my experience in working with runaways in Michigan and with the runaway staff people I have spoken with around the country, including my experience working directly with runaways, suggests that children rarely run away from home capriciously. Runaway behavior itself is not ordinarily the problem. It is the symptom of a much deeper problem within the family. By and large, children run away because something is very wrong. At a minimum, they might not be getting along or are unable to communicate with their parent or another family member. At a maximum, they are being abused or neglected.

Last year our program saw an increase in the number of children who were being abused and neglected, including sexual abuse, and as I mentioned before, over one-third of the kids that come to our programs report that they are being abused.

And as you mentioned, Congressman Kildee, for these children, running away is an act of self-preservation. In many cases divorce, unemployment and substance abuse often compound or contribute

to the family disfunction that ultimately leads a child to consider running away.

Let's face it. Kids are afraid to leave home. After all, we have to remember they are children, and they are not usually accustomed to taking care of themselves. So returning a child to his or her home immediately will not always help. In fact, many of these children are afraid to return home. As bad as living on the streets might be, returning home might be worse.

I want to make it very clear here that I am not suggesting that it is a bad idea for children to be at home. Our runaway programs are strongly committed to the philosophy that it is best to reunite children with their parents whenever possible, and our programs, I am happy to say, boast a success rate of reuniting over 80 percent of the kids we serve with their families or to a place mutually agreed upon by the parent or guardian, the child and the runaway program.

But returning a child to his or her home without providing support or referral or without finding out if there are problems at home, such as abuse, is irresponsible. At our runaway programs, for example, after a runaway and his or her family have received up to 2 weeks of services, we provide vital after-care services. Our programs label this initial few days after the child is returned home as a honeymoon period, but we see a rapid deterioration in this relationship unless counseling continues.

We feel that during this period it is vital for the family to readjust to living together. Many of our programs offer continuous care that might consist of a parent or youth support group, or both, family counseling, and home visit. When our programs do not offer these services, it is due to lack of resources, not lack of commitment.

Law enforcement cannot offer these services.

The third option is to bring a runaway to a runaway program or another agency for some assistance. That way we can get to the root of the problem by working with the youth and his or her family. I have already described some of the services these programs provide.

This option makes particular sense where a runaway is unwilling to return home immediately. The parents' consent is a must in these cases, and participation is needed to help resolve the family conflicts.

But there is no guarantee that the best of the three options would be pursued in the majority of cases when police locate and apprehend runaways. H.R. 604's aim is to help find abducted children, but it could be interpreted to include runaway and homeless children. But for many of these children, such as the homeless and throw-away children, finding them is not the problem.

I would like to point out that last year in Michigan our runaway programs had 1,600 homeless and throw-away children contact our programs, and in these cases, it is unlikely that their parents, if they have parents, would even bother to file a missing person report in order to find them. A lot of these kids are thrown out of their home because their parents do not want to deal with them. We are not doing enough to help these children because we have

not devoted sufficient resources to assist them, and we know how to help these kids, but it takes money to do it.

The money which would be spent to bring runaway and homeless children under the provisions of this bill would be better spent in providing services to these children who would otherwise have no place else to go or on expanding these services to unserved parts of the country.

I invite you to visit some of these programs, as I know Congressman Kildee has. These are not luxurious places. We are not asking for money to make them into luxury hotels. What we need are the resources to set up programs in unserved areas of the country.

I am proud to say that Michigan has committed great resources to address this problem. The Michigan State government allocates over $3.5 million to runaway services in addition to the Federal money we receive from the Runaway and Homeless Youth Act.

Even with all of these resources, we still have unserved areas of the State. We still have programs that are frequently forced to turn away kids because they are too full. Last year Michigan runaway programs turned away over 200 children for this reason. Yet Michigan is one of the best systems of the country for comprehensive delivery of youth services.

We also need street workers like they have in some of the larger cities, such as Boston, where runaway workers are out there on the streets, in the bus stations, getting to the runaways before they get involved in drugs, prostitution and other forms of exploitation.

In conclusion, I strongly urge you to exclude runaways from the reach of this bill. Not only would search for runaways dilute the search for abducted children, but until runaways no longer face detention' criminal records or life on the streets, we do more harm than good by including them in this program.

lt is unclear to me whether or not this bill would help abducted children, but that is not the subject of my testimony. However, insofar as it would help missing children, it would be unfortunate to have the opposite effect on runaways or if its efficacy were diminished by the well meant but ill advised inclusion of runaways within its scope.

Thank you.

[The prepared statement of Barbara Rachelson follows:]

PREPARED STATEMENT OF BARBARA RACHELSON, EXECUTIVE DIRECTOR, MICHIGAN NETWORK OF RUNAWAY AND YOUTH SERVICES

Mr. Chairman and members of the Subcommittee, my name is Barbara Rachelson and I am the Executive Director of the Michigan Network of Runaway and Youth Services. I'd like to thank you for inviting me to testify before you today on H.R. 604 regarding the development of state clearinghouses to locate missing children. My organization represents the twenty-seven programs serving runaway children and their families in Michigan. Our programs provide free services which include short-term shelter for runaways, counseling, and support groups for youth and parents. Services are voluntary. Parental permission for sheltering a runaway is required, and family participation in counseling is strongly encouraged and an important part of our work.

The purpose of H.R. 604 is to provide a network of state clearinghouses with the aim of finding missing children who not be located through the use of existing resources.

How often could we expect to succeed in finding such children? Perhaps we shouldn't ask this, since the life of a child is priceless, and if a clearinghouse effort succeeds in finding even one missing child, it is worth the expense. It is callous to suggest otherwise. It would be equally callous, however, to turn our backs on any one of the thousands of homeless children in our country, or the million and a half runaways who, for whatever time they are alone on the street, may fall victim to crime, commit suicide, or resort to drugs or prostitution in order to survive.

Today, I plan to focus my attention on the impact that H.R. 604 would have on these runaway and homeless youth.

The bill as it is presently written fails to specify whether Congress intends to include runaways in their definition of missing children. I would like to draw your attention to Part 1 of Section 403, Title IV of the Juvenile Justice and Delinquency Prevention Act, and in particular Part B which says:

(1) the term "missing child" means any individual less than 18 years of age whose whereabouts are unknown to such individual's legal custodian if -

(B) the circumstances of the case strongly indicate that such individual is likely to be abused or sexually exploited;

This language could be interpreted to mean that a runaway would be deemed to be "likely to be abused or sexually exploited" merely in virtue of the fact that the child is a runaway. And because this language could be interpreted to include runaways, it will be interpreted in that way in some cases.

Parenthetically, I might add that in addition, Part A of this same section, reads:

> (A) the circumstances surrounding such individual's disappearance indicate that such individual may possibly have been removed by another from the control of such individual's legal custodian without such custodian's consent;

This section could be interpreted to include runaways as well, because even in a case where it is strongly indicated that a child ran away, it is still possible that the child has been removed from the parents' control by another.

Since both of these subsections could be interpreted to include runaways, we must consider whether or not this would be desirable. Either way it ought to be clarified. You need to make it clear whether or not runaways are to be included in your definition of missing children, so as to avoid leaving it up to individual interpretation.

I recommend that runaways should not be included under the provisions of H.R. 604 and that the bill be amended to so specify.

Like abducted children, runaways are vulnerable. Running away is a frightening and often devastating experience for a youth. When a child runs away, the child's attention is usually directed at his or her desperation and not at a rational solution to his or her problem. These kids are running from something not to anything. In many cases, the only situation more frightening to a child than the uncertainty of the streets, is the certainty of the abuse that faces them at home. Our statistics indicate that more than one third of the children seen at our programs report that they are being abused at home and this is their reason for running away.

The disappearance of a child is also a terrifying ordeal for a parent. In some cases, the parents might not know if their child has been abducted or has run away. In either case, many parents fear for their child's safety, and this fear is legitimate.

Because of our concern about the safety of runaway children, there are two main questions we must consider, in connection with the scope of this bill.

Will the inclusion of runaways in a clearinghouse help us to find them?

Will finding runaways help them as a general rule?

First let's examine the question of whether including runaways will help us to find them. Last year in Michigan, our runaway programs had contact with approximately 21,000 runaways. The Michigan State Police have conducted studies on missing children for the last three years, 1983 - 1985. During each of those three years, they have had reports of between 2 and 4 abductions by strangers each year, and fewer than one hundred parental abductions. Consider the tremendous difference the inclusion of runaways would mean in a state clearinghouse. Not only would it necessitate constant revision and updating of the data on runaways, since each day in Michigan dozens of children run away and return home, but it would also dilute the effort to find kids who have been abducted. For example, in Section 423 of the bill, part (b), section (C) mandates that the clearinghouse would:

> "provide public information to assist in locating and returning missing children, including the distribution of a monthly bulletin to State and local law enforcement agencies with pictures and descriptions that will aid in locating missing children."

Visualize the bulletin containing pictures and descriptions of 100 children. Law enforcement agencies would be able to be well-informed with the cases. Imagine this same bulletin containing upwards of 17,000 pictures and descriptions. It would be virtually impossible to be knowledgeable about all of these children. Now, add the further complication, that each day dozens of children run away, and dozens return home. The bulletins would become obsolete as soon as they are printed. The scenario I am imagining is one in which parents contact the police to inform them that their child is missing. When the parent gives the description of what their child looks like, the police are likely to have a thousand pictures that might meet their child's description. Since the inclusion of runaways would hamper our efforts to find <u>any</u> child, valuable time might be wasted in finding an abducted child, when every minute could count in safely returning the child home. And presumably many children will be lost in the process. These numbers would be much higher on a national level; therefore it is inconceivable that the bulletins, if they included runaways could have much value.

Secondly, we must consider the fact that in Michigan, it is against the law to run away from home. Sanctions for breaking this law vary from county to county, and include jailing or locking up youth in detention facilities, notwithstanding federal policy to the contrary. In 1985, in Michigan 804 runaways were held in police lock ups; 300 were detained in juvenile facilities; and 24 were placed in adult jails. An additional 564 runaways were detained in public or private facilities for violating court orders stemming from their having run away. Although these numbers represent a significant improvement over the situation in 1974, before the adoption of the Juvenile Justice and Delinquency Prevention Act, of which this bill will

form a part, they are still too high. It is very likely that these numbers will go up as law enforcement gets more involved in the search for runaways.

The policy of detaining runaways results in runaways coming to fear detection by law enforcement. Although runaway children fear detection, it seldom works as a deterrent in keeping kids home. Many are willing to take the risk of being locked up rather than live in homes with abuse and other serious family issues.

If we implement a systematic, statewide hunt for runaways, without changing the law that deems running away from home a crime, it is inevitable that runaways will work harder to avoid detection. In effect, we would be driving more runaways underground and encouraging an adversarial relationship with the police. In doing so, we may inadvertently drive runaways into the hands of the people who are most likely to exploit them, who could offer them shelter and an opportunity to avoid detection in exchange for their involvement in pornography, prostitution, drug sales or other harmful activities.

For these reasons it is doubtful that including runaways will help us to find them. Therefore, we advocate against the inclusion of runaways in this bill.

In any case, it is not clear that finding these runaways and homeless children would benefit them or their families. The second question we must address, therefore, is whether finding runaways will help or harm them as a general rule. To answer this question we must examine what will be done with the runaway child, once he or she is found, since the problem does not end with finding them. What is done with a runaway or homeless children when they are picked up by the police? At present there are three alternatives. One choice is locking the child up in an adult jail, juvenile detention facility or a police lock up. These options are expensive; provide no support or services to these children or their families; and result in the children's introduction to the juvenile or criminal justice system, including exposure to adult criminals or delinquents, and increased risk of suicide. According to a national study conducted by the University of Illinois Community Research Center, the suicide rate of juveniles held in adult jails is 5 times higher than that of juveniles in the general population. Furthermore, locking a child up is perceived by the child as punitive, at a time when he or she is crying out for help. And while detaining a child under lock and key ensures that the child will not run while being detained, it cannot guarantee that the child will not run again after the detention is over. In any case, statistics at our runaway programs indicate that less than 5% run from our programs, where the doors are never locked, and the runaways are free to leave if they choose.

A second alternative is to bring the runaway back home, once he or she is found. While this choice sounds attractive, is well intentioned, and will frequently address the parents' concern, it can have substantial drawbacks. Merely returning a runaway child home does not solve the problem. All of my experience in working with runaways in Michigan, and with the runaway staff people I've spoken with around the country, including my experience working directly with runaways, suggests that children rarely run away from home capriciously. Runaway behavior itself is not ordinarily the problem, but rather a symptom of much deeper problems within the family. By and large, children run away because something is very wrong. At a minimum they might not be getting along, or are unable to communicate, with a parent or other family member. At a maximum, they are being abused or neglected. Last year, our programs saw an increase in the number of cases involving abuse and neglect, including sexual abuse. As I mentioned earlier, well over one-third of the children we see report abuse or neglect. For these children running away is an act of self-preservation. In many cases, divorce, unemployment, and substance abuse often compound or contribute to the family dysfunction that ultimately leads a child to consider running away. Let's face it kids are afraid to leave home. After all, they are children, and not usually accustomed to taking care of themselves.

So returning a child to his or her home immediately will not always help. In fact, many children are afraid to return home. As bad as living on the streets might be, returning home might be worse. I must make it clear that I am not suggesting that it is a bad idea for runaway children to be at home. Our runaway programs are strongly committed to the philosophy that it is best to reunite children with their parents whenever possible, and our our programs boast a success rate of reuniting over 80% of the kids we serve with their families, or to a place mutually agreed upon by the parent or guardian, the child, and the runaway program.

But returning a runaway child to his or her home, without providing the necessary support or referral, or without finding out if there are problems at home, such as abuse, is irresponsible.

At our runaway programs for example, after a runaway, and his or her family have received up to two weeks of services, we provide vital aftercare services. Our runaway programs label the initial few days after the youth has returned home the "honeymoon period". This relationship can rapidly deteriorate unless counseling continues. During this period it is vital for the family to readjust to living together. Many of our runaway programs offer continuous care that might consist of a parent or youth peer support group, family counseling, and home visits. When our programs do not offer aftercare services, it is due to insufficient resources, not lack of commitment to the concept of aftercare. But law enforcement can offer none of these services.

The third option is to bring a runaway to a runaway program, or another agency for some assistance. That way we get to the root of the problem by working with the youth and his or her family. I have already described some of the services that these programs provide. This option makes particular sense if a runaway is unwilling to return home immediately. The parents' consent is a must in these cases, and participation is needed to help resolve the family conflicts. As I mentioned, there is no guarantee that this, the best of the three options would be pursued in the majority of cases, when police locate and apprehend runaways.

H.R. 604's aim is to help find abducted children, but it could be interpreted to include runaway and homeless children. But for many of these children, such as the homeless and throwaway children, finding them is not the problem. In fact, it is unlikely that their parents, if they have parents, would even bother to file a missing person report in order to find them. We are not doing enough to help these children, because we haven't devoted sufficient resources to assist them.

And we know how to help these kids, but it takes money to do it. The money which would be spent to bring runaway and homeless children under the provisions of this bill would be better spent in providing services to these children, who would otherwise have no place else to go, or on expanding these services to unserved parts of the country. I invite you to visit some of these programs, as I know Congressman Kildee has. These are not luxurious places. We are not asking for money to make them into luxury hotels. What we need are the resources to set up programs in unserved areas of the country. I am proud to say that Michigan has committed great resources to address this problem. Our state government allocates over three and a half million dollars to runaway services, in addition to the federal money we receive from the Runaway and Homeless Youth Act. Even with all of these resources we still have unserved areas of the state and our programs are frequently forced to turn away kids because they are too full. Last year, Michigan runaway programs turned away over 200 children for this reason. Yet Michigan is one of the best systems for comprehensive delivery of youth services in the country.

We also need street workers, like they have in some of the larger cities such as Boston, where runaway workers are out on the streets, and in the bus stations, directing the runaways to the runaway program, before they become involved in drugs, prostitution, or other forms of exploitation.

I strongly urge you to exclude runaways from the reach of this bill. Not only would the search for runaways dilute the search for abducted children, but until runaways no longer face detention, criminal records, or life on the streets, we do more harm than good by including them in this program.

It is unclear to me whether or not this bill would help missing children, but that is not the subject of my testimony. However, insofar as it would help missing children, it would be unfortunate if it had the opposite effect on runaways, or if its efficacy was diminished by the well meant but ill advised inclusion of runaways within its scope.

Mr. KILDEE. Thank you very much for your testimony.

I see one of your former bosses from time to time, Mark Clodfelter, in Washington. He took my place in the Michigan House when I left there, and there have only been three members in that particular seat.

I have some questions here. Mr. Patterson's written statement states that while runaway programs have effective advocates for youth, they often overlook the needs of the family that is searching for the child. I gave Mr. Patterson a prerebuttal availability. So I will give a postrebuttal availability to all of you at the table. You may respond as you wish, any one of you.

He did indicate that they have not been effective in meeting the needs of the family. Would you care to comment on that—whether you agree, disagree or want to add supplementary views?

Ms. HILGEMAN. I would have to agree. You know, I talk to a lot of families of missing children, a lot of parents, and I think these parents have a right to know that their children are safe and OK, too. There are a lot of specific issues and concerns about runaways, but I would have to say from my perspective these kids need to be found and to be given other options.

Perhaps they do not belong in their home, but I do not believe that they are safe on the streets either, and their families are just as needy in many instances, too, and all parents are not abusive either. So I think one cannot just make that overall determination that a child has run away from an abusive family.

So I think it is true. I think these families need to have assistance, more than what they have received in the past.

Mr. KILDEE. Mr. Sutherland.

Mr. SUTHERLAND. I belong to the Garden State Coalition for Youth and Family Affairs, which is, in our State, backboned by the runaway shelter programs throughout the State. While their primary function is to ultimately get the children back into homes, if indeed the homes are there, they are most attentive to, at least in our State, working with the family. If there is any kind of negotiation or mediation that must be necessary, they do it. They are very active with both the child and family where they can be.

If there are allegations concerning physical, sexual, emotional abuse, then our State's division of youth and family services gets immediately called in on the situation. In our State, we are well monitored for just that problem.

Mr. KILDEE. Barbara, do you have any comments?

Ms. RACHELSON. Yes, I do. One is our runaway programs always require parental permission in order to house a child. We will not house a child without the parents' permission. So parents are always notified when a runaway is found.

Our programs are strongly committed to parent involvement. We think that unless you deal with the whole family, you are not going to be able to keep the child back home once we return them home, and as I said, we have success in 80 percent of the cases we work with, which is pretty impressive.

I only wish that more parents would be willing to get involved. I personally, when I worked at a runaway program, had to beg parents to come in and sign to let us house their child, and they did so saying, "Great. I don't have to deal with my child for 2 weeks,"

and I do want to make clear that I am not saying that all runaways come from abusive homes. I am saying that it is somewhere over one-third.

However, kids do run away for some reason, and we cannot ignore the reason and we cannot belittle it, and we need to deal with the family in trying to come up with a good solution for it. If there is abuse or neglect, we are obligated by law to report it to protective services, and that is their job, to figure out if the child belongs in the home at that point.

Mr. KILDEE. Yes.

Ms. HILGEMAN. I have more of a question, and that is: those parents who do not know where their children are cannot be and are not serviced by the services for runaways because they do not know where their children are. So there needs to be some vehicle by which to find those kids, too, so they can at least know that their children are alive and well and safe somewhere other than on the streets.

Mr. SUTHERLAND. If a child is given a runaway shelter anywhere within the United States, there are only a couple of shelters that I am aware of that are not mandated to be in touch with the family within a very brief period of time, certainly a reasonable period of time. If a kid wanders into a runaway shelter at midnight, the immediate reaction is going to be: Come on in. Do you need food? Do you need a bath? Here is a bed.

Then the following morning the process of establishing where the child is from and making parental contact will commence.

Mr. KILDEE. Federally funded shelters are required to notify parents.

Mr. SUTHERLAND. Yes.

Mr. KILDEE. You know, as a corollary to what you said—go ahead.

Ms. HILGEMAN. I was just going to say that not all runaways end up in shelters, and that is also the concern that I have.

Mr. KILDEE. The corollary, speaking of parents, is that in my 10 years of teaching I very often found out that the parents I needed to see never showed up at PTA meetings, and the parents I did not need to see showed up. That happened consistently during those 10 years.

Ms. RACHELSON. I also would like to make it clear that if a parent has a child that is missing, our runaway programs provide counseling to that parent whether or not they know where their child is, and one big point is we encourage parents and kids to call a runaway program and to get help before the kid runs away from home. You do not need to wait for your child to run away to get help from a runaway program, and that way perhaps we will be lucky and the child will not run away from home, and we can deal with the problem early on, and we really encourage that.

Family counseling is a major component of the runaway programs.

Mr. KILDEE. Barbara, you mentioned in your testimony that you did not think that H.R. 604, as written now, would improve the response to the unique needs of homeless youth. What should the Federal response be to the needs of homeless youth?

I will let you start, and maybe the rest of you would like to join in on that.

Ms. RACHELSON. What we are finding in Michigan is we have several kids—as I said, last year we had 1,600 kids—come to our programs who after 2 weeks, which is the maximum amount of time we can keep a child in a program, we have in many cases no place to refer them.

There have been several successful independent living programs set up around the country, including Ozone House in Ann Arbor, Youth Living Centers in Inkster, MI, and these programs—and there are all different models of them—basically take a child who is 17 or 18 and homeless, mostly 17-year-olds, and give them the skills that they need to learn how to be independent adults, not on welfare. They give them job skills. A lot of these kids need basic living skills. Some of them were kids that were orphans or were in the foster care system, and when they graduated out of the system at age 17, the State says, "So long," and the kids out on the street have no idea how to shop for food, open a checkbook, get a job. So those types of services are important.

The child needs a place to live as a primary thing to get them out of the street and away from possible exploitation.

Mr. KILDEE. Do you have any response or anything to add to that, Mr. Sutherland?

Mr. SUTHERLAND. Within the Garden State Coalition, there is currently underway a computer project to get a totally good demographic picture of the runaway and homeless kids in or from the State of New Jersey. However, the last information I had prior to the work on the study was that the runaway centers in New Jersey were seeing approximately 25 percent runaways and 75 percent homeless kids.

Now, certainly within that group of homeless children were youngsters who had come from situations where something happened within the family. It could have been nothing more than a fire burned them out and they needed temporary shelter, and it was felt that putting them into foster care would be inappropriate for a brief period of time. But they were also dealing with an awful lot of kids who were pushouts, throwaways.

Our knowledge of pushout or throwaway kids is very, very minimal. There was a Senate subcommittee study issued in December of 1980 which said that there were probably somewhere between 250,000 to half a million homeless children in the United States at that time. At best, that was an educated estimate. A couple of years later, a reporter from a newspaper in our State did a major story involving just that kind of case and checking with different sources, he came up with pretty much the same conclusion on a projection that he had found in the State of New Jersey.

We are dealing with a large chunk of kids out there who are definitely homeless, and I would suggest that those are the youngsters primarily who are working the streets for survival. Those are the kids that you are going to find in Times Square, the Loop in Chicago, the Strip in Los Angeles, most at risk, selling their bodies to survive.

Mr. KILDEE. In my first year down here or second year, I think it was, I introduced the child pornography bill to say, in effect, that

this was like child labor; that if you abused a child, not only was that a crime, but all of the production of that, like contraband in the old child labor law, was also illegal and those who sold it were guilty of a crime. It has been a rather effective weapon, not perfect but nevertheless effective.

But I discovered when I went to New York City and Los Angeles, that large cities are very often where children will go. They are almost lost there and can be terribly exploited. From that, and my interest in children in general, I became more interested in the whole question of homeless and runaway youth, and I found some had run away because their families were disabled or nonfunctioning. Some who had run away said to me, "I made a dumb mistake but I don't know how to get back," and I think that is certainly a different category. There were all types really who went out there, and they really are very exploitable.

As I have said many times, in the length of a school day a young person can travel or be transported from one end of this country to the other, and that alone makes it a Federal concern.

Tom, do you want to ask a few questions before we go over?

Mr. LEWIS. I would rather wait until we come back, Mr. Chairman.

Mr. KILDEE. We will be right back.

[A short recess was taken.]

Mr. KILDEE. The subcommittee will come back to order.

I will come back to some questions, but right now I will defer to Tom for questions.

Mr. LEWIS. Well, thank you, Mr. Chairman.

I would like to ask our panel if, first of all, you are interested in Federal funds for your nonprofit organization programs, whichever one would like to answer.

Ms. HILGEMAN. I think there is a tremendous need from my perspective that the nonprofits that are doing the work, working with the families and helping to locate children and providing safety programs, should be federally funded, but I really think that $3,000 and $25,000 minigrants are inadequate.

Mr. LEWIS. I did not ask that question.

Ms. Rachelson.

Mr. RACHELSON. Let me put it this way. I think that the Federal Government should continue to fund services to runaway and homeless youth, and I might add that there is a need for more services to be given.

I also want to just point out to you that the State of Michigan currently provides $3.5 million to runaway services. The Federal Government provides $789,000. So we have quite a good State base of support for these type of services that we offer.

Mr. LEWIS. I think that is excellent that the State of Michigan does that. I think all States should fund their own programs with minimal or not assistance from the Federal Government because then they are taking care of their own, but unfortunately, that is a pie in the sky dream sometimes. So we have to do it other ways, but I congratulate Michigan for doing that.

I would like to ask you both: what do you think the requirements should be for private organizations before they can receive Federal funds? There are a lot of organizations out there, private organiza-

tions, that do no deserve to be in business, period, working in the same fields that you are, and how do we screen out those people and make sure that those who are properly competent to perform responsibilities receive funds?

What kind of standards could be established for that?

Ms. RACHELSON. I think the Department of Health and Human Services currently does an excellent job with the grant requirements that they have. I do not know if you are familiar with what we have to go through to get a grant from them.

I think audit reports by an independent auditor are helpful to see if the agency has the capabilities of spending the money; showing background and experience that the agency has in carrying out the use of the funds is another important requirement. A solid board of directors that will help with policymaking for assuring the money.

As I said, I do think that currently the grants that we go through at least are very well done. We are required to put in an extensive grant proposal, letters of support from people, other agencies, showing what kind of reputation the agency has. That makes a difference also.

Ms. HILGEMAN. I agree with Barbara. In addition, I would say that long term, longevity should be considered. I think that there are some groups out there that have been there a long time and have proven themselves quite extensively and have operated basically with no money at all. I think there has to be, of course, proof of nonprofit status, 501(c)(3).

I think it is important to have letters from law enforcement showing that they have cooperated and that they have worked with various other agencies, including law enforcement, for extensive period of time. I think that there is going to have to be some group of people that there is maybe some peer decisions.

A lot of us who are in this field know who is doing what out there, including a group of individuals that have been involved with this issue, and those people are also aware of the legalities of the issue of missing children, especially in the area of parental abduction. It is a very complex area, and you want to make sure that the organizations that are receiving funds know the laws and are very careful about what cases they are accepting and which ones they are not.

I think also the psychological aspects of dealing with families while the children are missing and after their return, I think there needs to be a board consisting of peers of people that are aware of the location techniques, the legalities and also the psychological aspects. I think those people should make the decisions on the funding.

I think that the newer groups have to be more stringently evaluated because, like I said earlier, a lot of groups have formed who are not so well intentioned, and there are some very good ones out there that, given time, will develop the expertise that they need.

Mr. LEWIS. Mr. Sutherland, I asked the ladies—yes, ma'am. You had another comment?

Ms. RACHELSON. I just wanted to add also that I think another factor in looking at contracting with a nonprofit agency is a cost comparison and can a nonprofit agency do the same or better job

than perhaps—like I know in Michigan, for example, with runaway services, the State decided rather than provide runaway services directly through the department of social services, to contract through independent nonprofit agencies because they could do a better job for less money or as good a job, and I think it could be a real cost savings to use nonprofit agencies.

Mr. LEWIS. Mr. Sutherland, I asked these ladies if they felt that private organizations should receive federal funds. What is your feeling on that?

Mr. SUTHERLAND. I know darn well we could use it.

Mr. LEWIS. What do you think the criteria should be for an organization to receive funds?

Mr. SUTHERLAND. That is hard to say from my personal standpoint because perhaps my background is considerably different from many of the other people who are involved with private nonprofits. I am a dues paying, longstanding member of the National Sheriff's Association and have been much longer than the vice president of the board of the National Center, Mr. Ruffino. Most of my background comes out of probation. How I could answer that I do not know.

I do know who is out there and who is dishonest. I think certainly one of the quickest checks that anyone has is on the State level with whatever department, and in my State it happens to be charities registration, but it is basically part of a department of consumer affairs. They do run periodic checks on organizations that pop up, particularly those that immediately start raising funds. In the State of New Jersey, we have several stinkers that should be driven out with the old method of tar, feathers, and a fence pole. They are after them.

They also know who is doing an honest job. I would suspect that the individual States would be better qualified to respond to that question than trying to do it on a Federal level.

The only agency that I can think of that might in any way, shape or form get itself involved would be the Federal Trade Commission, and I do not see how they fit.

Mr. LEWIS. Well, thank you.

Mr. Chairman, I am running into a time constraint. I want to make some statements on the bill. I have to be in Science and Technology. I have two amendments for an appropriation bill that I should be working on probably in about another 20 or 30 minutes.

Mr. KILDEE. Proceed.

Mr. LEWIS. Thank you.

I would like to say to the private organizations that I wish you had come up with some suggestions to improve 604 rather than just attack it. I think I am looking at 604 hopefully as a catalyst to move into other areas so that we can get some things done.

The business of child abuse and exploitation of missing children, you know, was a nothing issue 5 years ago, nothing as far as the greater populous of the United States. If it was not for John Walsh we still would be where we were 5 years ago, struggling about how to handle the problem of missing children, runaway children and exploited children.

We are so far ahead today due to his efforts that it is beyond description of where we have advanced for our children, at least getting the children issue before the public.

As you are aware, today Congress is like a group of fish in a feeding frenzy trying to pass a drug bill. I would hope that I had the ability as one Congressman to get them to feel the same way about children and the problems we have in this country with children, but unfortunately, we have not been able to do that.

I am a member of the President's Partnership on Child Safety, and we hope to come back to him with a report in April of next year. I have been involved with missing children, and there have been a couple of comments made here that I think should be rebutted.

You are not talking to people up here that have not been involved in children's programs. I have been involved as a volunteer. I have been involved with nonprofit organizations working for children in all areas, from pornography, to sexual abuse, to missing children and runaways. So I am not new to this.

In 1978, I was fortunate enough to get $73,000 for the Florida Department of Law Enforcement in order to allow two computer operators to be employed to input missing children information into the computer which eventually went to the NCIC computer, and that is how it all started.

I think that I have noted both from the law enforcement and from your testimonies today that we still have a lot of work to do between private organizations and law enforcement. Believe me, I have been on talk shows, national television, local television, where I have seen the police and private organizations fighting each other when they should be working together to get their message across. We have got to start doing that.

I very seldom do this, but I think we all owe a great debt of gratitude to the media, both television and the press media, for what they are doing for missing children. It is one of the greater public services that they are providing.

I think there is a real need for clearinghouses in these United States in all 50 States. I know I get criticized by my staff sometimes for using this example, but I am still going to use it. It is more important to me that somewhere out in the Western confines of this country that a sheriff or a highway patrolman go in his car computer and be able to go right through the clearinghouse to the NCIC and back again on a missing child because he can do the same thing today on a missing automobile, and as far as I am concerned, we should do no less for our children, and I think we have to work at that.

I know that you feel bad sometimes, and you have pointed out, about the amount of grants that we are issuing from the national center and elsewhere. You do not feel that that is enough. I agree with you. It is not near enough.

But I must say this. You only eat the pie one bite at a time, one bite at a time, and that is where we are starting, and as I said, we are further ahead now. A few years ago we did not have a national center, and yes, the National Center is not perfect. I do not think Mr. Patterson would say it is perfect. We have got a lot of work to

do there. Even the great Illinois clearinghouse is probably not perfect.

But I think rather than look at being devisive and being concerned that we are not getting our share, we should work together to see how we can get our share, and I know you are shaking your head "no," but I have had the same kind of people shake their head "no" and I have sat down with law enforcement and private organizations and they are working hand in hand today. It can be done.

So I just feel that it can be accomplished and we have got to work in that respect.

I would like your permission to take all three of your testimonies and present them to the child partnership of the president's, to be included and looked at with the overall report that we will be formulating in April. If you have no objections to that, would the chairman allow me to do that?

Ms. HILGEMAN. That is fine with me.

Mr. LEWIS. So with that, Mr. Chairman, I think we all have a lot of work to do for our missing children, and this is only the beginning.

I think that one of the better things that you all could do in helping us do a better job for missing children is help us to come up with some standards for private organizations to receive various types of grants because there are a lot of them out there that do not belong in the business. You know that as well as I do. We have to protect ourselves from that, particularly since some have received Federal funds. They receive State or Federal funds, and then we find out that we have a bunch of pedophiles or we have other people involved in these things that should not be there.

So we are going to need your help, and hopefully we can get that. I am certainly not trying to be an adversary as far as you are concerned. We need all of the nonprofit organizations that we can get. I personally appreciate you coming the distances that you have to provide your testimony.

And with that, Mr. Chairman, I am going to have to leave. I do hope you will take another look at 604 and see how you can become part of it and make it work better. If you do not like runaways in it that is fine, but there are other things that we can do with it, and let's hope it is a catalyst to get us moving in this area.

Mr. Chairman, I want to personally thank you. I think you have done a tremendous job in this area. You have been very forthright and have perservered. I know that I have become a pest to you on occasions regarding this matter, but I will tell you before all of these people that no one cares more about our missing and runaway children than you do, and you are to be commended for that.

Thank you very much for allowing me to be part of the hearing today.

Mr. KILDEE. Thank you, Mr. Lewis. The Bible tells us to keep knocking at the door because the Master may open because he cannot stand the knocking, right? So keep knocking.

I appreciate your perserverance and your understanding. I am sure we are going to be working together during both of our tenures here in Congress to help the children of this country. I appreciate both your expertise and your deep concern for children.

A couple of closing questions here. In the context of handling runaway cases, what role should the State clearinghouse have in supporting the Federal policy of deinstitutionalizing status offenders?

Barbara.

Ms. RACHELSON. Well, in a State like Michigan where it is still against the law to run away from home, we need to make sure that efforts to find—well, first of all, a runaway should not get in a clearinghouse merely by virtue of the fact that they are a runaway. There are other reasons for the child to go in the clearinghouse besides the fact that they are a runaway. That makes sense to me, but in a State like Michigan where it is against the law to run away, we need to make sure that kids are not going to avoid the police because they are worried they are going to end up in the slammer because that is what they heard from their friend, and that we are not giving them a criminal record. It is not going to go down as a first offense that they are a runaway.

So we need some real safeguards in there in order to coincide with the Runaway and Homeless Youth Act and the whole concept of keeping kids out of secured detention. I think it would be unfortunate if the good that could come of a clearing house would harm runaways and get them involved in the criminal justice system. We do not need that.

Mr. KILDEE. Any other comments from the other witnesses?

Yes.

Mr. SUTHERLAND. The one problem faced by the most dedicated, most hard working and conscientious law enforcement agency in what is presumed to be a runaway situation is an uncertainty: is that a runaway or has something happened that we do not know about?

Nine times out of ten it is probably a runaway. How do you predict the 10th? How do you prevent the one case from escaping your attention if you do not deal with all of them?

I can appreciate your particular attitude, and Lord knows, I am sympathetic to it, but I do not think we can afford to run the risk of losing 1 out of 10 who did not leave voluntarily by eliminating entering all 10.

If a child is missing, it should be entered into the NCIC computer. That is the only certainty that we have right now. Just entering a child into a State computer, as you so well expressed, does not necessarily mean that much. It can only be a national computer.

If we save one of those one in tens' we have done well. The problem is, and it is a realistic one, the horrendous volume of entries that are made.

To cite a couple of specific examples, up until quite recently the city of Pittsburgh, a major metropolitan area, was not utilizing its NCIC computer system for juvenile entries. They now are, and they are overwhelmed by it. They are doing it, and that is about all they are doing.

The State of South Carolina, which has a very, very poor overall record of utilization of the NCIC computer system, has so few computer terminals around the State that they can barely keep up with the most urgent entries. They do not have time for all of the

missing persons that should be entered. They cannot even use the NCIC computer system as the investigative tool that it can be.

I think one of my objections to 604 is inherent in the fact that we do not have adequate access to that great system that we have got, and that is at a State level.

Mr. KILDEE. One final question, and Mr. Patterson may want to join in on this, too. I would fuse the panels here.

As State clearinghouses become more numerous and effective—and I suspect they will with or without Federal dollars—we have between 30 and 37 now in some degree of being—will this change the role of the National Center for Missing and Exploited Children?

Does anybody want to comment on what the role may be? Mr. Patterson, you may want to join in this, too.

Mr. SUTHERLAND. Well, as of the moment—correct me—I believe that the National Center is mandated to deal with children up to the age of 13.

Mr. PATTERSON. No, our mandates are more inclusive than just up to the age of 13. Any child who is missing and believed to be endangered would be included in the kinds of things that we are doing as far as the hotline is concerned, and that is the only, I believe, age limitation on any of our programs.

But, no, we would see the development of State clearinghouses as an important component in the systems approach to a service delivery system relative to missing and exploited children. I think it is very important that it be considered only a component and not necessarily the answer.

As the written testimony that I presented showed, Mr. Chairman, there are over 19,000 law enforcement agencies, God only knows how many social service agencies, community-based nonprofits, and private voluntary organizations, even though Ms. Hilgeman does not like that term. That term has taken on a meaning of its own.

We feel that it is important that the system get together, and I do not think necessarily just to decide that the role of the system is to locate children and reunite families, but maybe what is needed as a first step is for these organizations to get together in some kind of a forum and to talk about what the role is. What role can law enforcement play in the protection of children that are out there on the streets in the context that the people who are operating the runaway programs might feel comfortable with? What kind of a role can the private voluntary organizations play when it comes to cases of parental kidnapings where there is no basis for criminal prosecution, and therefore, probably not a law enforcement problem as far as the parental kidnaping. You still have a missing child, and it is important that the system be responsive to the needs of those families and those parents that are looking for that.

I do not think that what we are looking for is a preconceived notion of how this system should look, but more the development of participation in the description of the system and the roles of the players that are in that system, and in order for that to happen, we have to get together, and I think it is important that we have to get together in the context of working together and to quit sniping

at each other, and unfortunately there has been an awful lot of that, Mr. Chairman.

Mr. KILDEE. Any concluding comments, and then we have to go again.

Mr. SUTHERLAND. I would like to ask the question of Mr. Patterson how do you determine your standards for "at risk"?

Mr. KILDEE. One brief response, and we will get to Barbara here.

Mr. PATTERSON. Right. What I can do as far as for the record, I can submit that in writing, but I do have a copy of our investigator's guide which indicates in here what the criteria are. There are about eight different criteria that would indicate when a child would be considered at risk, and those are pretty much what we use in evaluating cases as to whether the child may be at risk.

Mr. SUTHERLAND. Then let me rephrase. What are you going to do if we have entry of approximately 1,200,000 runaway episodes each year?

Mr. KILDEE. I think at this point I have to go and vote, and I have to conclude this. Barbara, I know you are anxious to say something on this question.

Ms. RACHELSON. Mr. Chairman, I would just like to respectfully remind you that one of the findings of the Runaway and Homeless Youth Act is to remove the problem of locating, detaining, returning runaways from the police and to do something else with that responsibility, and I think we need to keep in mind the interpretation that could come from the current way that title IV is worded in terms of whether or not runaways are included and how that fits in with the Runaway and Homeless Youth Act, which—I am sorry Mr. Lewis was not here to hear—has been successful for the past 12 years and has an excellent record which the GAO have agreed with of working, and if it ain't broke, don't fix it.

Mr. KILDEE. Thank you very much.

I would like to thank all of you for your testimony today. We have been here four hours and 20 minutes. It has been time well spent. I appreciate the endurance of the witnesses particularly, and those who stayed out there listening. It has been very helpful to us.

I cannot think of any greater interest to government than its children. While we can find disagreement in this room, it is not like disagreement in other areas of federal legislation where, like in Defense, some will say more or less or same. I think we all agree that we really should do more for our children, and that is one thing that should bind us together.

Obviously we are going to have some differences as to how we do more for our children, but I think that it is really good to keep dialogue going, with one another.

It is great to have people in the room that are concerned with children. So as you talk to one another, at least look at the other person and say, that person is at least concerned with children, and that is great because a lot of people do not share that concern that deeply.

I really appreciate each and every one of you for your testimony today, and we will agonize over our priorities and agonize over the structure, agonize where to put the dollars, and you can be very helpful to us on that.

Thank you very much, and we will keep the record open for 2 additional weeks for any additional testimony. Thank you very much. We stand adjourned.

[Whereupon, at 2:22 p.m., the subcommittee was adjourned.]

APPENDIX

U.S. Department of Justice

Office of Legislative and Intergovernmental Affairs

Office of the Assistant Attorney General — Washington, D.C. 20530

30 SEP 1986

The Honorable Augustus F. Hawkins
Chairman
Committee on Education and Labor
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your request for the views of the Department of Justice regarding H.R. 604 and H.R. 2256. H.R. 604 is a bill "to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide states with assistance to establish or expand clearinghouses to locate missing children." H.R. 2256 is a bill "to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide assistance for state clearinghouses for information relating to missing children." The Department recommends against enactment of these measures for several reasons.

H.R. 604 and H.R. 2256 would add new sections to title IV of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, which would authorize the Office of Juvenile Justice and Delinquency Prevention to award grants to the states to establish and operate, or operate and expand, a Missing Children Information Clearinghouse in each state. Federal funds per state are not to exceed 50 percent of the total cost of such operations each year.

Both H.R. 604 and H.R. 2256 require the states to agree to work in conjunction with the National Crime Information Center; to educate parents, children, and community agencies, etc., in ways to prevent abduction and exploitation of children; to provide public information to assist in locating and returning missing children (including the distribution of a monthly bulletin covering missing children); to publish a directory of other organizations that provide assistance in locating missing children; to establish an instate toll-free telephone line; to work with the National Center for Missing and Exploited Children; and to determine the cost of the establishment and operation of the clearinghouse during the fiscal year and provide assurances that the state will pay 50 percent of such cost in cash or in kind.

H.R. 604 would authorize an appropriation of $2 million for each of Fiscal Years 1987 and 1988 under a new section 425 of the Juvenile Justice and Delinquency Prevention Act of 1974. H.R. 2256 stipulates that "...one quarter of the amount appropriated for each fiscal year under section 425 shall be used for such grants unless not enough applications for such grants are approved to so use such one quarter..."

As you know, the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice has provided funding for the National Center for Missing and Exploited Children since the Center opened in 1984. The Center works with law enforcement agencies, parents, children, schools, and community and other organizations to increase public awareness about the problem of abducted and abused children and the most effective preventive and investigative techniques.

The Center distributes prevention materials specifically directed at child abduction, abuse, and sexual exploitation. For example, the Center has developed "A Guide for Effective State Laws to Protect Children" to help state legislators and others interested in improving the way child abuse and abduction cases are investigated and prosecuted. In addition, the Center publishes a "Directory of Support Services and Resources for Missing and Exploited Children" and, in conjunction with the National Child Safety Council, an "Abducted Children Directory."

The Center also operates a national toll-free telephone number to collect and coordinate information about missing children and to facilitate the exchange of information among local, state, and Federal agencies about effective efforts to prevent child abuse and abduction. The Department of Justice will continue to support the National Center for Missing and Exploited Children through the $4 million appropriated by Congress for such purposes.

In addition, OJJDP recently launched through the National Center a program to provide financial and technical assistance to states that have legislatively-established, state-operated clearinghouses that serve as central repositories of information on children believed to be missing in the state. To date, 22 states have such legislatively-established clearinghouses and other states are expected to establish such clearinghouses in the near future. These programs were established without Federal financial assistance and without Federal regulation. Although we agree that the maximum effort should be brought to bear on the problem both by state and Federal governments, we do not believe that the Federal government should attempt to dictate the manner in which state and local governments meet their obligations, as would H.R. 604 and H.R. 2256.

The Office of Management and Budget has advised that there is no objection to the submission of this report from the standpoint of the Administration's programs.

Sincerely,

John R. Bolton
Assistant Attorney General

APPENDIX

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U.S. HOUSE OF REPRESENTATIVES

B-346 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515

SUBCOMMITTEE ON HUMAN RESOURCES

October 10, 1986

Mr. Verne L. Speirs
Acting Administrator
Office of Juvenile Justice and
Delinquency Prevention
Department of Justice
Washington, D.C. 20531

Dear Mr. Speirs:

On September 11, 1986, the Subcommittee conducted a hearing on H.R. 604, a bill to amend the Missing Children's Assistance Act to authorize grants to states for the purpose of establishing, operating, or expanding clearinghouses to locate missing children. Subsequent to the hearing, Assistant Attorney General John R. Bolton sent a letter to the Chairman of the Committee on Education and Labor recommending that H.R. 604 and H.R. 2256 not be enacted. This letter will be made a part of the hearing record.

In order to further complete the hearing record, I would appreciate your providing the following information:

- Please describe the purpose and amount of the May 23, 1986 grant award (No. 86-MC-CX-K004) to the National Center for Missing and Exploited Children (NCMEC).

  - During the hearing, the representative from NCMEC indicated that NCMEC would provide "pass through" funding to eligible state clearinghouses. Please describe, in detail, how the eligibility criteria and the use of this "pass through" funding compares to the requirements and authorized activities contained in H.R. 604.

  - Does the Office intend to provide further awards to NCMEC for this purpose. If so, please describe those plans.

- As state missing children clearinghouses continue to grow in number and in sophistication, how will this affect the need for, and the role of, NCMEC?

Your cooperation in providing this information is greatly appreciated. Both this letter and your response will be included in the printed hearing record.

Sincerely,

Dale E. Kildee
Chairman

jm

U.S. Department of Justice

Office of Juvenile Justice and
Delinquency Prevention

Washington, D.C. 20531

6 NOV [illegible]

The Honorable Dale E. Kildee
Chairman
Subcommittee on Human Resources
Committee on Education and Labor
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your letter regarding the National Center for Missing and Exploited Children (NCMEC). The purpose of the May 23, 1986 grant to the National Center is to establish a national network of state clearinghouses in order to more effectively address the issues related to missing and exploited children. This program will help by: (1) establishing intermediary information dissemination mechanisms; (2) serving as the main point of contact for the state with the National Center for Missing and Exploited Children; (3) developing uniform data systems; (4) providing assurance of case follow-up; (5) facilitating the return of recovered children; (6) coordinating local public awareness campaigns; and (7) sharing innovative ideas.

The state clearinghouse grant to NCMEC was in the amount of $550,000 and we will fund this program for a second year at a cost of about $450,000.

Eligibility criteria and the use of pass through funding in our current program does not differ drastically from that proposed in HR 604. The major difference is that HR 604 authorizes two million dollars to be appropriated for 1986 and two million dollars for 1987 while ours is a one million dollar program over two years.

Listed below is a comparison of the elements of Section 423 of HR 604 with the elements of our state clearinghouse program.

423(a) requires each state desiring a grant submit an application. Our program also requires states to submit an application.

423(b) lists what states must do to qualify for a grant under HR 604. 423(b)(1) requires that the state agree to provide for establishment and operation or operation and expansion of a state clearinghouse. Our program requires that the state clearinghouse already be in operation prior to application for funds. The contract costs are meant to defray some start up costs that are associated with establishing a missing children function. However, the costs covered are specifically tailored to information networking and technical assistance and training expenses, and are not intended to cover general administrative costs.

423(b)(1)(A) requires that the state clearinghouse work in conjunction with the National Crime Information Center. Our program also requires states to work with the NCIC and is assisting them in entering required information to the NCIC.

423(b)(1)(B) requires the state clearinghouse to educate parents, children and communities, agencies and organizations in ways to prevent abduction and exploitation of children while our program does not require this education program of states. The NCMEC's State Clearinghouse Program is providing manuals and education materials to existing state clearinghouses for the activities listed in 423(b)(1)(B).

423(b)(1)(C) requires clearinghouses to provide public information to assist in locating missing children including the distribution of a monthly bulletin to state and local law enforcement agencies with pictures and descriptions. Our program does not require the distribution of a monthly bulletin but does require the clearinghouses to provide public information to assist in locating and returning the missing children. Our program is actively assisting and funding state clearinghouses to procure and develop equipment that will greatly assist them in distributing bulletin information on a regular basis.

423(b)(1)(D) requires clearinghouses to publish a directory of other organizations that provide assistance in locating missing children. Our program is developing such a publication and will encourage its use by the states.

423(b)(1)(E) requires clearinghouses to establish an in-state toll-free line for missing children. Our program does not require such a toll-free line.

423(b)(1)(F) requires clearinghouses to cooperate with and act as a liaison for other public and private organizations. Our program actively encourages and facilitates state clearinghouses to act in this manner.

423(b)(1)(G) requires clearinghouses to work with the National Center for Missing and Exploited Children. Our program requires clearinghouses receiving funds to cooperate with the National Center.

423(b)(2) requires clearinghouses to determine the cost of the establishment and operation of the clearinghouse in each fiscal year and give assurances that the state will pay 50% of such cost in cash or in kind. Our program has no such requirement.

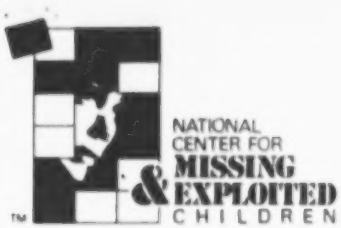
423(b)(3) requires clearinghouses to submit a status report six months after receipt of a grant. In our program the contract between the NCMEC and each state clearinghouse requires quarterly progress and fiscal reports.

As state missing children's clearinghouses continue to grow in numbers and sophistication the current burden on the National Center for Missing and Exploited Children should lessen. As more services become available and publicized on the state level, more use will be made of them. It will allow for better service to all those involved in activities on behalf of missing children.

Please let me know if I can provide any additional information on this topic.

Sincerely,

Verne L. Speirs
Acting Administrator



1835 K Street, N.W. • Suite 700 • Washington, D.C. 20006
202/634-9821

September 24, 1986

The Honorable Dale E. Kildee
Chairman
Subcommittee on Human Resources
Committee on Education and Labor
U.S. House of Representatives
402 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

During the course of the September 11, 1986, hearings on H.R. 604, you requested that the National Center for Missing and Exploited Children provide to you, Mr. Lewis, and the members of the Subcommittee additional information concerning the amounts awarded to the states by the Center to assist in the development of state clearinghouses. These monies were provided to the Center by OJJDP to "pass through" to the states for use in developing state clearinghouse operations, especially in developing compatible computer systems and uniform data bases. Attached, please find a list of the states that applied for this "pass through" and in what amounts the "pass through" was granted.

In the event that I can be of further assistance or provide to you any further information to assist in your deliberations over H.R. 604, please do not hesitate to ask. We appreciate your assistance and cooperation in the presention of this information to the Subcommittee.

Sincerely,

Ellis E. Meredith
President

cc The Honorable Tom Lewis

EM/JK

STATE	AMOUNT OF CONTRACT	PURPOSE
	$ 14,467.00	Computer hardware and software
	5,533.00	Training
ALABAMA	20,000.00	* TOTAL
	3,768.00	Training
ARKANSAS	3,768.00	* TOTAL
	4,500.00	Computer hardware and software
	5,000.00	Training
	10,500.00	Personnel support costs
COLORADO	20,000.00	* TOTAL
	9,500.00	Computer hardware and software
	10,500.00	Training
CONNECTICUT	20,000.00	* TOTAL
	7,249.00	Computer hardware and software
	5,000.00	Training
DELAWARE	12,249.00	* TOTAL
	12,000.00	Computer hardware and software
	5,500.00	Training
	3,000.00	Personnel support costs
FLORIDA	20,000.00	* TOTAL
	6,500.00	Computer hardware and software
	3,316.00	Training
	10,184.00	Personnel support costs
ILLINOIS	20,000.00	* TOTAL
	4,320.00	Computer hardware and software
	3,450.00	Training
	12,230.00	Personnel support costs
IOWA	20,000.00	* TOTAL
	1,719.00	Computer hardware and software
	5,000.00	Training
	10,464.00	Personnel support costs
KANSAS	17,183.00	* TOTAL
	20,000.00	Personnel support costs
KENTUCKY	20,000.00	* TOTAL
	11,000.00	Computer hardware and software
	3,000.00	Training
	6,000.00	Personnel support costs
MARYLAND	20,000.00	* TOTAL
	6,210.00	Computer hardware and software
	5,000.00	Training
	1,000.00	Personnel support costs
MONTANA	12,210.00	* TOTAL
	4,114.00	Computer hardware and software
	5,000.00	Training
	10,886.00	Personnel support costs
NEVADA	20,000.00	* TOTAL
	5,500.00	Computer hardware and software
	7,500.00	Training
	7,000.00	Personnel support costs
NEW JERSEY	20,000.00	* TOTAL

STATE	AMOUNT OF CONTRACT	PURPOSE
	$ 6,000.00	Computer hardware and software
	7,000.00	Training
	7,000.00	Personnel support costs
NEW YORK	20,000.00	* TOTAL
	5,500.00	Computer hardware and software
	5,000.00	Training
	9,500.00	Personnel support costs
NORTH CAROLINA	20,000.00	* TOTAL
	2,500.00	Computer hardware and software
	8,450.00	Training
	9,050.00	Personnel support costs
TEXAS	20,000.00	* TOTAL
	686.00	Computer hardware and software
	7,550.00	Training
	11,764.00	Personnel support costs
WASHINGTON	20,000.00	* TOTAL

Eighteen state clearinghouses applied for and received authorization for reimbursement for actual expenses as indicated above. Those states are:

ALABAMA	20,000	KENTUCKY	20,000
ARKANSAS	3,768	MARYLAND	20,000
COLORADO	20,000	MONTANA	12,210
CONNECTICUT	20,000	NEVADA	20,000
DELAWARE	12,249	NEW JERSEY	20,000
FLORIDA	20,000	NEW YORK	20,000
ILLINOIS	20,000	NORTH CAROLINA	20,000
IOWA	20,000	TEXAS	20,000
KANSAS	17,183	WASHINGTON	20,000

A total of $325,418.00 has been committed from t. original grant fund of $500,000.00 leaving $174,590.00 as of this date.

SERVICES
for the
MISSING

P.O. Box 26
Gibbsboro, NJ 08026

Nikolette Thomas
Executive Director

(609) 783-3101

TESTIMONY FOR THE SUBCOMMITTEE

SUBMITTED BY: SERVICES FOR THE MISSING, INC.

SEPTEMBER 22, 1986

We wish to thank the Chairperson and this Committee for it's continued interest in the issue of missing children. It is encouraging to find that Congress is taking positive steps to learn about the impact of the Missing Children's Assistance Act and related bills and activities. We appreciate the opportunity to submit this written testimony on the subject of Missing Children Information Clearinghouses, specifically on House Resolution 604.

As you may remember from our recently submitted testimony regarding the implementation of the Missing Children's Assistance Act, Services for the Missing, Inc. was created to assist families in their search for missing family members, regardless of the age of the missing individual. The agency provides valid information programs to children, youth and adults in various school and non-school settings. Since it's inception in March of 1981, Services for the Missing, Inc. has provided services to more than 5,000 individuals and has helped to locate more than 200 children, youth and adults. All services are offered free of charge. Services for the Missing, Inc. has accomplished tis level of service with less than $15,000.00 over a three year period of time.

Services for the Missing, Inc. has developed a strong level of expertise in all areas related to the missing and their families. The agency has had the fortunate experience of working closely with searching parents as well as with parents of safe children. We feel confident that the views of these parents are representative of the majority of society. It is on these views and the expressed views of several other private agencies that we base this testimony regarding State Clearinghouses.

Since the inception of the federal involvement in the issue of missing children there has been a propensity for commanding the cart to pull the horse. It started with the creation of the National Center without benefit of an accurate measure of the need for such a Center. This Subcommittee is only now hearing testimony on the issue of State Clearinghouses, when the Office of Juvenile Justice has already granted $500,000.00 to create Clearinghouses in several states. We are pleased that this Subcommittee is accepting testimony prior to the passage of House Resolution 604, but it seems that we have once again given the cart the responsibility pulling this horse.

The subject of the actual number of missing children has been a topic of hot debate over the last few years over the last few years. We have finally reached a point that the unsensationalized truth is making it's way to legislators, the media and the public. Even private agencies that once used inflated statistics, such as Child Find, Inc. and the National Center for Missing and Exploited Children, are re-evaluating their positions and using statistics provided by authorities. Had the true statistics been used in the creation of the Missing Children's Assistance Act, the federal government would have been in the position to make an informed decision regarding the level of funding required in it's initial response to the problem. These statistics should be seriously considered as a part of any evaluation process in determining the need for, and any subsequent policies or services of, State Clearinghouses.

SERVICES
FOR THE
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P.O. Box 26
Gibbsboro, NJ 08026

TESTIMONY FOR THE SUBCOMMITTEE

SUBMITTED BY: SERVICES FOR THE MISSING, INC.

SEPTEMBER 22, 1986

In reference to House Resolution 604, there are several sections which would benefit from evaluation and change. The findings in Section 421 deal specifically with State and local law enforcement as serving "a vital role in the safe and quick return of missing children" and this section further states, "State and local law enforcement agencies serve as the initial contact point for parents of a missing child." Law is not the only body in this Country that serves a vital role in the safe and quick return of missing children. Additionally, it is very important that Congress notes that in an overwhelming number of cases, private agencies serve as the primary initial contact point. This finding sets an unbalanced tone for the entire bill.

Section 421 (5) states: "State and local law enforcement agencies can work directly with the Department of Justice's National Clearinghouse for Missing and Exploited Children". It should be noted for the record that law enforcement can and does work directly with WWW agencies that operate on behalf of the missing and their families and have done so for many years. This finding is redundant!

Section 421 (6) states: "State Clearinghouses will aid in the search for missing children." To date, no operational Clearinghouses provide any type of location services. Many do use in-state photograph projects, which are typically ineffectual as the child is most often removed from the state. These types of projects are not widely recognized as a true "location tool." The other services typically offered by Clearinghouses include a State Resource Directory, a monthly missing children's bulletin, training for public and private organizations in the operations of the Clearinghouse, fingerprinting upon request and publication of a child safety guide. All of these services are already available across the Country from existing private agencies. None of these services are "location tools." Further, none of the applications stated in HR 604 are substantively different and none are primarily devoted to the actual location of a missing child.

Section 421 (7) states: "Cooperation among local, State and Federal law enforcement agencies that operate similar systems will aid in the quick recovery of a missing child." Private non-profit agencies were founded because this cooperation was not, and is not, sufficient to locate children quickly while providing other necessary services to families. The operation of similar systems would be helpful in accurate record keeping.

Section 421 (8) states: "Federal assistance is needed to help initiate such systems." This finding is questionable; many state presently run State Wide Missing Persons Unit as a part of their State Police Departments. These Units are funded by the States to the level required by the State, without Federal dollars.

In the applications stated in Section 423, several statements are made regarding the types of services to be offered by Clearinghouses under this Bill. These services are largely duplicative in nature; some of the services are now seen as unnecessary or without merit by service providers.

SERVICES FOR THE MISSING
P.O. Box 26
Gibbsboro, NJ 08026

TESTIMONY FOR THE SUBCOMMITTEE

SUBMITTED BY: SERVICES FOR THE MISSING, INC.

SEPTEMBER 22, 1986

House Resolution 604 would mandate the Clearinghouses work with the National Center for Missing and Exploited Children. This application presumes that all law enforcement desires a working relationship with this non profit agency. This mandate is clearly redundant; any agency, law enforcement or otherwise, has the right to work with any agency it chooses, among them the National Center.

House Resolution 604 gives no support or credence to private, non-profit agencies aside from the National Center for Missing and Exploited Children. This "oversight" is one which has occurred historically in the government's response to the issue of missing children. To allow this to be promulgated in a new piece of legislation would add insult to already monumental injury.

Improvements could be made to HR 604 that would make it somewhat more palatable. Among these would be a primary recognition of the importance and impact of private non-profit agencies; the dropping of specific reference to any one non-profit agency; a cap on the amount of the appropriation or allocation, and a time line specifying the effective date and a date of repeal.

More significant improvement would include the provision of services to families of missing adults and a mandate to the Clearinghouse for use of the National Crime Information Center.

It is the feeling of Services for the Missing, Inc. that there is not a need for the creation of State Clearinghouses. Very few missing children would fall under the service plan of the Clearinghouses; most of their services are duplicative in nature and law enforcement can answer the crux of the problem by creating special units in their own police departments. It was brought out in oral testimony by the National Center that very few states had responded to the RFP for the dollars given by Justice for the creation of Clearinghouses; this is indicative of the lack of interest on the part of the states toward federal involvement in their law enforcement functions.

Special units in State Police Departments can be funded through action taken on a state by state basis, these measures should not tap already scarce federal resources. The fact that the Justice Department granted funds for the creation of Clearinghouses without adequate fact finding is appalling. The Office of Juvenile Justice and Delinquency Prevention has acted without regard for the meager dollars available in it's funding for the missing children's issue. We strongly encourage this Subcommittee to check the free hand with which Justice grants funds.

We thank you for this opportunity to provide you with information on the serious matters concerning the missing and those who serve them. We are encouraged by your interest and hope that you will choose NOT TO SUPPORT HOUSE RESOLUTION 604. It is time to give the cart a break and the horse do it's job. We feel that your desire to make a fully informed decision is indicative of a move in the right direction!

Respectfully submitted,

Services for the Missing, Inc.

3

CHILDREN'S RIGHTS OF PA, INC.
(IN SEARCH OF MISSING CHILDREN)

P.O. BOX 4362
ALLENTOWN, PA 18105
(215) 437-2971

September 10, 1986

Congressman Dale E. Kilder
Subcommittee on Human Resources
Committee on Education and Labor
U.S. House of Representatives

Mr. Chairman,

Thank you and the committee for the opportunity to address the following issues.

I believe the establishment of state clearinghouses on missing and exploited children is an excellent idea. I do hope, however, that you will consider the fact that there are, in many states, private, non-profit organizations that already fill this need to some extent. These efforts ought to be recognized and coordinated within the establishment of government-sponsored centers. No one has a better handle on this problem than the people who have been grappling with this problem for years without your assistance.

Bureaucracy is necessary component of our society, without which societal problems could not be dealt with very effectively. Our society has not dealt very effectively with the problem of missing and exploited children because the various bureaucracies do not view it as a priority.

The FBI and other law enforcement agencies are reluctant to get involved in what they consider to be "domestic" or "social work" issues. The social service agencies cry that their funds are being cut away and they cannot possibly do more, or take on "new" issues.

The National Center for Missing and Exploited Children has done some attention-grabbing on this issue, but it is a very small and new bureaucracy without substantial clout. Even it's efforts to grab attention for the issue have come under fire by other sections of the bureaucracy and their spokesmen who would like to bury the issue altogether.

There is a force, however, that cannot and will not be silenced or pushed aside. That is the victims, the parents and siblings, friends and neighbors, who know this tragedy first-hand. Regardless of what Congress, or the media, or any one else does, we will be in the trenches fighting to bring this issue before the American people, to find and recover our children.

Through years of attempting to do whatever is necessary to recover our children, we learn about this system as no "trained professional" ever does. We learn it's realities and we come to realize it's possibilities.

Draw upon our knowledge and experience. See through our eyes.

We need clearinghouses throughout the state, and we need them to involve, and in turn, support the private voluntary organizations. We need to have professional committment and expertise working hand in hand with the committment of the heart and grassroots initiative and experience.

The past couple of years have shown us a great deal. Working with minimal funding and shoestring budgets, we have succeeded in assisting parents in the location of hundreds of parentally kidnapped kids, and more than a few stranger abductions, (who are generally considered "dead" if not recovered in a few days).

We have gone before the American people again and again on media outlets, big and small, at PTA, union, Veteran, service, club, religious and other type meetings. We are developing newsletters and networks of our own, and we are doing it without fancy offices or large expense accounts. We will continue and we urge you to support us and our efforts.

What Exactly is the Problem of Missing and Exploited Children?

Every year hundreds of thousands of children are reported missing. Most are "voluntarily missing," runaways, or throwaways. Many have no choice, or perceive they have no choice, but to attempt to survive as best they can on the unloving streets of our major cities. Many turn to crime to survive or are victimized by adults or other juveniles. Many are irreparably hardened by these experiences. More than a few do not survive them.

The second largest category of missing children are those who are parentally abducted, taken by one of their own parents, generally as a move to illegally deprive the other parent of custody or visitation. While some would dismiss this problem as "children in the loving care of a parent," the harsh reality is that these children are seriously hurt psychologically, and often in every other way.

Lastly, there is the problem of stranger abductions. Many different figures are quoted about how many children are victimized in this way, and the debate will continue as long as police fail to make an accurate accounting of these cases reported to them.

The general picture is this: thousands of children are abducted and assaulted every year by persons unknown. Most are released after the abductor has gotten his satisfaction, but many are never heard from again.

Even if the abduction is of short duration, the damage done is irreparable in most cases. You cannot restore the innocence of a child.

Children in our society are wide open for every type of exploitation. In our society's growing decadence even puberent children are reduced to being sex objects for a growing number of sick individuals.

The problem of missing children is part and parcel of the breakdown of the family, and social/sexual taboos and mores that has characterized the recent past.

It cannot be ignored and it will not go away. There are not simple answers and juggling statistics is not a solution.

What is needed is a long term commitment to social programs and reforms in our criminal justice system and civil court procedure.

- We need to take the pervet/abductor off the streets.
- We need to educate our children and our whole society to be more conscious of child safety, and the danger of stranger abduction and molestation.
- We need to require our schools to adequately document who is enrolled and where they came from, and to be conscious of the problem of parental abduction.
- We need to alert our medical community to be aware of the whole range of abuse problems found by children including abduction by non-custodial parents.
- We need to upgrade the training of private attorneys, police, probation officials and our judiciary to deal more effectively with this problem.
- We need to distribute pictures and information on more missing children, more quickly and to more people and agencies on an efficient basis.
- These are just a few of the things state clearinghouses can help with, but it will take an overall commitment by the system to effect real change.

Thank you,

Thomas Watts
Executive Director
Children's Rights of Pa., Inc.

cc: Senator Arlen Specter

American
Academy of
Pediatrics

Office of Government Liaison
American Academy of Pediatrics
1331 Pennsylvania Avenue, N.W., Suite 721 North
Washington, D.C. 20004-1703
(202) 662-7460
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September 11, 1986

RECEIVED
SEP 15 1986
TOM LEWIS, M.C.

Honorable Tom Lewis
U. S. House of Representatives
Washington, D.C. 20515

Dear Representative Lewis:

I am pleased to see that your concern for neglected, abused and runaway children has led to your sponsorship of H.R. 504, an amendment to the Juvenile Justice and Delinquency Prevention Act of 1974. The health and well-being of homeless, dependent, sexually abused children and children in foster care is a growing problem that needs to be addressed at many levels. Your bill will assist states to further expand their efforts for this critically needy population.

The American Academy of Pediatrics has long been a strong proponent of providing support for activities directed at the prevention of abuse and neglect of children. I am quite pleased that Section 423 (1) (B) clearly highlights the important role prevention plays.

If I may, I would add one small note of detraction regarding Section 423 (1) (B). The National Center for Missing and Exploited Children is a private organization whose activities have been instrumental in bringing the issue of "missing children" to the public's attention. However, they must also bear some responsibility for the misrepresentation of this issue through the dissemination of unsubstantial data, and the consequent inappropriate apprehension suffered by many parents. Though they have recently made efforts to clarify the problem of missing children, one cannot justify singling out this organization for special note in federal legislation. More worthy of mention and support would be the officially designated National Resource Centers for Child Welfare Services, e.g. National Resource Center for Youth Services, the National Child Abuse Clinical Resource Center, and the National Resource Center for Child Abuse and Neglect.

The Academy has recently formed a Task Force on Child Abuse and Neglect which will be investigating a broad range of topics. We will be happy to keep your office informed of their activities.

Your continued interest in the safety and welfare of children is greatly appreciated. We commend you on the leadership role you have taken on their behalf.

Sincerely,

Martin H. Smith, M.D.
President

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COLLEGE OF AMERICAN PATHOLOGISTS

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September 18, 1986

The Honorable Dale E. Kildee
Chairman, Subcommittee on Human Resources
Committee on Education and Labor
U.S. House of Representatives
402 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

The College of American Pathologists would like to take this opportunity to endorse H.R. 604, a bill introduced by Representative Tom Lewis, to provide States with financial assistance for the purpose of establishing or expanding clearinghouses to locate missing children. Such financial assistance would be provided to the States, upon approval of application, and such amounts shall not exceed 50 percent of the total cost during a fiscal year. This legislation is similar to S. 1174, which passed the Senate late last year.

The College of American Pathologists is a national medical speicalty group consisting of over 10,000 board-certified physicians who practice in community hospital settings, in medical schools and teaching hospitals, and in independent medical laboraories across the country. The College is headquartered in Skokie, Illinois.

The College and its members are deeply committed to the various initiatives underway to provide assistance at the national and local levels to eliminate the frequent and tragic occurrences of missing children across the nation. The College has volunteered its assistance to the National Center for Missing and Exploited Children and has been working actively at the State level to seek enactment of appropriate legislation. I have enclosed a copy of a press release of the reporting on our missing children efforts.

H.R. 604 will provide a special impetus for the States to increase their efforts in finding children quickly and returning them home safely. In addition to the financial assistance, this important legislation will provide for needed educational programs for those immediately involved -- for children and their parents and for law enforcement personnel.

Representative Lewis is to be commended for sponsoring H.R. 604. The College and its members are very hopeful this legislation can be approved in the near future so this vital missing childrens' program can continue the work that has been started.

The College would appreciate this letter being included in the printed record of hearings which your Subcommittee has just concluded.

Sincerely,

R L Breckenridge, MD

Robert L. Breckenridge, MD
President

RLB/nbl

cc: The Honorable Tom Lewis
U.S. House of Representatives
Washington, D.C.

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Executive Director

July 8, 1986

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JUL 16 1987

TOM LEWIS, M.C.

The Honorable Tom Lewis
U. S. House of Representatives
1313 Longworth House Office Building
Washington, D.C. 20515

Dear Mr. Lewis:

Last year we saw the creation of a national clearinghouse for information concerning missing children. Several states including Illinois, New Jersey, Kentucky, Florida and California have also initiated innovative activities in the area of child safety and protection. Since state and local agencies are closest to the problem and the community, we need to ensure that they are well trained and equipped to serve as an effective frontline resource in the effort to locate and protect children. A coordinated effort is as important, if not more important, on a state-wide level as it is on the national level. For this reason the membership of the International Association of Chiefs of Police is offering its support for your legislation to make funds available for the establishment or expansion of state missing children information clearinghouses.

Although the two million dollars that your bill would authorize is not a large amount (Illinois' I-SEARCH program alone spent over two million dollars in state funds last year) it is a start. It will be a valuable supplement to the funds states are already designating for this important purpose. It will also encourage states that do not yet have a program to deal with the problem of missing children.

Thank you for your support of law enforcement. Please feel free to call on me or my staff if we can assist you in this or any other matter.

Sincerely,

Jerald R. Vaughn
Executive Director

Sheriff Don Smoot
President
Minneapolis, Minnesota

L. Cary Bittick
Executive Director
Alexandria, Virginia

NATIONAL SHERIFFS' ASSOCIATION

1450 DUKE STREET • ALEXANDRIA, VIRGINIA 22314
Telephone Number 703-836-7827
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September 9, 1986

TOM LEWIS, M.C.

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Honorable Tom Lewis
U.S. House of Representatives
1313 Longworth House Office Bldg.
Washington, D.C. 20515

Dear Congressman Lewis:

Thank you for asking me to review and comment on H.R. 604, your proposal to establish state clearinghouses to locate missing children.

I believe that your proposal will help facilitate the return of missing children, and I endorse H.R. 604. There are several aspects of the bill that are particularly positive:

- It fosters coordination between federal, state, and local agencies.
- It establishes prevention as a priority.
- It encourages community education about the problem.

I look forward to announcing to our nation's sheriffs that H.R. 604 has been enacted into law.

Very truly yours,

L. Cary Bittick
Executive Director

LCB/SPK:mcp

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